Indiana – Mines and mining – 1964

COAL MINING LAWS OF INDIANA

Chapter 168, Acts of 1955

EFFECTIVE MARCH 8th, 1955

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SENATE ENROLLED ACT NO. 148

AN ACT concerning underground coal mines and coal mining and the regulation thereof, creating a Department of Mines and Mining, prescribing its powers and duties, providing for its administration, appropriating funds therefor, prescribing penalties for the violation of the provisions of this Act and repealing all laws or parts of laws in conflict therewith.

Be it enacted by the General Assembly of the State of Indiana:

DEPARTMENT OF MINES AND MINING

DEPARTMENT OF MINES

SECTION 1. There is hereby created an administrative department to be known as the department of mines and mining.

DIVISION OF LABOR

SEC. 2. The following bureau and boards are hereby created within the division of labor.

A bureau of mines and mining.

BUREAU AND BOARDS—DUTIES

SEC. 3. The bureau of mines and mining shall have immediate charge of the administration of the mine laws of this state.

TRANSFER OF CERTAIN BOARDS TO DIVISION OF LABOR

SEC. 4. All of the rights, powers, and duties conferred by law on the Industrial Board and the Department of Mines and Mining, when not otherwise in conflict with any of the provisions of this Act, are hereby continued in full force and effect and are hereby, except as herein reserved and retained by the Industrial Board, transferred to and conferred upon the Division of Labor, as created by this Act, and shall be held, exercised, and performed by the Division of Labor under the provisions of this Act anl the several acts now in force.

BOARD—MEMBERS—APPOINTMENT—QUALIFICATIONS

SEC. 5. The powers and duties of the department of mines and mining is hereby vested in a board which shall consist of four members, who shall be appointed by the governor. Two of such members shall be practical coal miners, and two members shall be active and experienced coal operators. Of the four members originally appointed, one practical coal miner and one coal operator shall be appointed for terms of two years, and one miner and one operator for terms of four years. Thereafter, all appointments shall be made for terms of four years. In any case, a member of the board shall serve until his successor shall have been appointed and qualified. The governor shall fill all vacancies ocurring in the membership of the board for unexpired terms, and may remove any member of the board, after a hearing, for cause. The members of the board shall perform their services as such, free of charge to the state: Provided, however, That the members of the board shall receive traveling and necessary expenses

incurred while engaged in their official duties. The board shall organize by the election of a chairman, who shall serve for a term of one year. The chief mine inspector shall be ex-officio the secretary of the board, and shall keep the record of the official proceedings of the board. The board shall hold meetings at such times and places as it may determine. Special meetings in cases of emergency may be called by the chairman or the secretary of the board.

POWERS AND DUTIES

SEC. 6. The department of mines and mining shall have the power, and it shall be its duty:

1st. To execute and administer the laws of this state concerning coal mines;

2nd. To collect and diffuse information concerning the nature, causes and prevention of mine accidents, the improvements of methods, conditions and equipment of mines, with special reference to health, safety and the conservation of mineral resources, and the economic conditions respecting mining and the mining industry;

3rd. To promote the technical efficiency of all persons working in and about the mines of this state and to assist them the better to overcome the increasing difficulties of mining;

4th. To supervise and direct the state mine inspection service;

5th. To submit any bills, embodying recommendations for new, additional, supplemental or amendatory legislation, which the board may agree upon, to the general assembly.

COAL MINES

MAPS—MAPS OF MINE—REFUSAL—INSPECTOR

SEC. 7. (A) The operator of each mine shall make or cause to be made, an accurate map or plan of the workings of such mines on a scale of not less than two hundred feet to one inch, showing the area mined or excavated, the arrangement of haulage roads, air courses, breakthroughs, brattices, air bridges, or overcasts, and doors used in directing the air currents in such mine, the location and connection with such excavation and connection with such excavation of the mine of the lines of all adjoining lands with the names of the owners of such land so far as known, marked on the map. Such map shall show a complete working of the mine, and, when completed, shall be certified to by the operator, agent or engineer making the survey or map to be a true and correct working map of said mine.

(B) The operator or agent shall deposit with the chief inspector of mines a true copy of such map within thirty days after the completion of the survey of the same, the date of which shall be shown on each copy, the original map and survey to be kept at the office of such mine open for inspection of all interested persons at all reasonable times. Such map and copy thereof, shall be extended each year between the first day of May and the first day of September, and shall be filed as required in making the original survey showing the exact workings of the mine at the date of the last survey.

(C) At the request of the operator of any coal mine the owner of the land, the miners working therein or other persons interested in the working of such mine, the chief

inspector of mines shall make, or cause to be made, an accurate map of the working thereof, on a scale of not less than two hundred feet to the inch, showing the area mined or excavated and the location and connections of the mines of all adjoining lands therewith, and the names of the owners of such lands so far as known. Such map shall be sworn to by the surveyor to be a correct map of the workings of such mine, and shall be kept on file in the office of the chief inspector of mines for examination at all times. All expenses shall be paid by the party causing such survey and map to be made. In case the operator of any mine shall fail or refuse to furnish a map as required by this law it shall be the duty of the chief inspector of mines to appoint a competent mining engineer to make the survey and maps and file and deposit them as required by law, and for his service he shall be entitled to a reasonable fee to be paid by the party whose duty it was to make such survey and map, and shall be entitled to a lien on the mine and machinery to the same extent as is now provided by law for other work and labor performed in and about the mines of this state.

(D) Upon the payment of the fees, the chief inspector of mines shall make within a reasonable time, and deliver to the party so demanding the same, an accurate copy of any map or plan on file in his office.

(E) The original map or plan of any coal mine or the copy filed with the chief inspector of mines or a certified copy, issued under the hand and seal of such inspector, shall be evidence in any court of record in this state.

(F) In order that the maps, reports and other records, pertaining to the office of the chief inspector of mines may be properly preserved, a room shall be set aside and

furnished in a suitable manner as an office for said inspector.

(G) It shall be obligatory upon the operators of adjoining coal properties to leave, or cause to be left a pillar of coal, 15 feet in width on each side of the property line in each seam or vein of coal worked by them.

MINE WORKINGS—MAP—ENGINEERS AND LAND SURVEYORS

SEC. 8. All maps required to show the underground workings of any mine, within this state, shall be prepared by a professional engineer or land surveyor, and shall be certified and sealed by such professional engineer or land surveyor.

RIGHTS OF ADJOINING LAND OWNERS

SEC. 9. (A) The tenant or occupant of any land or lands on which a coal mine is opened and operated, the person or persons operating such mine, or the agent of any of them, shall permit any person or persons interested in or having title to any land or lands coterminous with the land or lands on which such mine is located, to have ingress and egress together with surveyors and assistants, into said mine, for the purpose of measuring, exploring and surveying such mine, for the purpose of ascertaining whether or not any coal has been, or is being, mined and taken from the lands so owned by such person or persons; it being provided that such survey and measurements shall be made not oftener than once a month and shall be made at the expense of the party making such measurements or survey.

(B) Any land owner, tenant, occupant, agent or mine operator, who shall refuse permission to permit such meas-

urements, exploration or survey, as provided for above, shall forfeit the sum of one hundred dollars ($100.00) for each refusal to the person so refused, which shall be collectible by suit in any court of competent jurisdiction in the state.

(C) If the owner of any coterminous land, or his agent desires to make an examination, measurements or survey of any such mine or any part thereof situated and operated on adjoining lands, then the operator or superintendent of such mine, shall, upon demand, provide every proper facility for making such survey with accuracy and safety to the owner of such coterminous land or to any surveyor or assistants who may make such examination or survey, by driving good air into, dangerous gases from, the part to be so examined and surveyed, and shall remove any obstructions that will prevent such survey, and shall provide any assistance if so called for by the surveyor, so that the encroachments, if any, on such coterminous lands may be clearly determined by such examination or survey. Any persons violating paragraph "C" of this section shall forfeit twenty dollars ($20.00) a day for each day which he refuses to comply with such demand, which amount such coterminous owner may collect by suit in any court of the state.

ABANDONED WORKINGS—MINES—FENCING—MAPS

SEC. 10. (A) Before a mine or any part of a mine is abandoned, the owner or agent shall make a survey showing the farthest extremity of the workings of such mines, and a map thereeof made and filed within thirty days thereafter at the office of the county recorder in the county where such mine is located; said map shall have

attached thereto the affidavit of the mining engineer making the map, and of the mine boss in charge of the underground workings of said mine. Such map shall be properly labeled and filed by the recorder and preserved as a part of the records of the land on which said mine is located, and the recorder shall receive for said filing from said owner or agent a fee of fifty cents.

(B) The entrance of an abandoned mine shall be securely fenced off by the owner of said land on which said entrance is located, so that no injury can arise therefrom.

(C) When two or more veins are worked in the same mine, they shall be so operated that no danger will occur to the miners working in either vein.

MINE OPENING IN OTHER STATES—OPENING IN OTHER STATES

SEC. 11. Whenever any mine or mines, the shaft or opening of which is located in any state other than the State of Indiana, shall have entries or working underground extending into and within the State of Indiana, a compliance with the laws of the state in which the shaft or opening of said mine is located governing mines and mining, shall be taken, deemed and considered in full compliance with the laws of the State of Indiana governing mines and mining as to all that part of said entries and workings lying and being within the State of Indiana.

EMPLOYEES SUBJECT TO LAWS OF OTHER STATES

SEC. 12. That in the case of any mine or mines, the shaft or opening of which is located in any state other than the State of Indiana, the employees in the entries

or workings of such mines extending into and within the State of Indiana, shall be controlled and governed by the laws of the state in which the shaft or opening of such mine is located in any and all matters pertaining to their employment, including compensation laws and suits for damages for personal injuries.

APPLICATION OF ACT—GASOLINE ENGINES

SEC. 13. The provisions of this act shall apply to all commercial coal mines, except that it shall be unlawful to use or operate any gasoline propelled engine or machinery inside any mine in this state.

SAFETY DEVICES AND PROTECTION OF EMPLOYEES

COMBUSTION PROPELLED ENGINES—USE UNLAWFUL—WHEN

SEC. 14. It shall be unlawful for any owner or operator of a coal mine who is engaged in removing any material or product from under the surface of the earth to use or operate any combustion propelled engines or machinery in any such operation underneath the ground where employees are engaged at work.

ADMINISTRATIONS

DEFINITIONS

SEC. 15. As used in this act, unless the context specifies otherwise:

(A) "Abandoned workings" means excavations, either caved or sealed, that are deserted and in which further mining is not intended, open workings which are not

ventilated and inspected regularly, and from which all material has been removed. All material shall be recovered promptly.

(B) "Active workings" means all places in a mine that are ventilated and inspected regularly.

(C) "Approved" means any device or practice approved by the Director.

(D) "Assistant mine foreman" means a person employed to assist the mine foreman in the performance of his duties and to serve in his place, in the absence of the mine foreman.

(E) "Blower fan" means a fan tubing used to direct part of a particular circuit of air to the working face.

(F) "Booster fan" means an underground fan installed in conjunction with a main fan to increase the volume of air in one or more circuits.

(G) "Cable" means a stranded conductor (single-conductor cable) or a combination of conductors insulated from one another (multiple-conductor cable).

(H) "Circuit" means a conducting part or a system of conducting parts through which an electric current is intended to flow.

(I) "Circuit breaker" means a device for interrupting a circuit between separable contacts under normal or abnormal conditions.

(J) "Commercial mine" means any underground mine from which coal is produced for sale, exchange, or commercial use.

(K) "Director" means the Director of the Bureau of Mines and Mining of Indiana.

(L) "Fire Boss" means a properly certified person designated by the mine foreman to examine the mine for gas and other dangers.

(M) "Fuse" means an overcurrent protective device with a circuit-opening fusible member directly heated and destroyed by the passage of overcurrent through it.

(N) "Gassy mine" means a mine in which explosive gas has been ignited before or after the effective date of this act; is found after the effective date of this act, by means of a permissible flame safety lamp or by air analysis in an amount of 0.25 per cent or more of any open workings when tested at a point not less than twelve inches from the roof, face or rib; or which has been classed gassy by the State before the effective date of this act.

(O) "High potential" means voltages in excess of 650 volts.

(P) "Interested persons" means authorized representatives of the mine workers' organization having jurisdiction at the mine, members of the mine safety committee, State and Federal coal-mine inspectors, and, to the extent required by law, any other person.

(Q) "Mine foreman" means the person charged with the responsibility of the general supervision of the underground working of a mine and the persons employed therein and for the health and safety of such employees.

(R) "Mine inspector" means the person appointed to assist in administering this act.

(S) "Operator" means an individual, firm, association, partnership or corporation operating an underground coal mine or any part thereof.

(T) "Permissible" applies to any equipment, device, or explosive that has been approved as permissible by the United States Bureau of Mines and meets all requirements in the applicable permissibility schedule.

(U) "Rock dust" means pulverized limestone, dolomite, gypsum, anhydrite, shale, talc, adobe or other inert material, preferably light colored, 100 per cent of which will pass through a sieve having 20 meshes per linear inch and 70 per cent or more of which will pass through a sieve having 200 meshes per linear inch; the particles of which when wetted and dried will not cohere to form a cake will not be dispersed into separate particles by a light blast of air; and which does not contain more than 5 per cent of combustible matter, nor more than a total of 5 per cent of free and combined silica (siO_2).

(V) "Shot-firer" means a properly certified person designated by the mine foreman to perform the functions as required in this act in connection with breaking down coal.

(W) "Substation" means an electrical installation containing generating or power-conversion equipment and associated electric equipment and parts, such as switchboards, switches, wiring, fuses, circuit breakers, compensators, and transformers.

(X) "Mine" as used in this act shall mean an underground coal mine.

SCOPE OF ACT

SEC. 16. Unless the context requires otherwise, the Administration Provisions, the Health and Safety Provisions and the Miscellaneous Provisions of this act apply only to underground commercial coal mines.

CHIEF MINE INSPECTOR—ASSISTANTS—APPOINTMENT

SEC. 17. The Governor shall appoint a Director for a term of four years. The Director, with the approval of the Governor, shall appoint for a term of four years, a sufficient number of mine inspectors to carry out their duties as set forth in the Mining Laws of Indiana. The Governor may remove the Director, and the Director may remove any Mine Inspector at any time, for just cause. The Director, with the approval of the Governor and the Budget Committee, shall employ and fix the salary and compensation of such clerks, stenographers, and assistants as may be necessary to properly administer the Mining Laws of Indiana.

QUALIFICATIONS OF DIRECTOR AND MINE INSPECTOR

SEC. 18. The Director shall be not less than thirty-five years of age, a citizen of the United States and a qualified elector of this State, of good repute and temperate habits, shall have had not less than fifteen years experience underground in coal mines, at least ten of which shall have been underground in mines in this State, and shall be the holder of a mine foreman certificate. He shall posses a practical knowledge of the different systems of working and ventilating coal mines the nature, chemistry, detection and control of noxious, poisonous, and explosive gases; the dangers incident to blasting and the prevention of such dangers; the application of electricity in mining operations; the methods for the prevention of mine fires and gas or dust explosions; the methods for the control and extinguishment of mine fires; the methods of rescue and recovery work following mine disasters; a thorough knowledge of the coal-mining laws of this State and a practical knowledge of

mining engineering. He shall not be an employee in, or owner or part owner of any coal mine or coal-mining company while serving in the capacity of Director. The Mine Inspectors shall possess at least the qualifications required of the Director except that they need have only ten years experience underground in coal mines, at least five years of which shall have been underground in mines in this State.

SALARY—EXPENSES—SUPPLIES

SEC. 19. The Director shall receive an annual salary to be fixed by the Governor with the approval of the Budget Committee, and each Mine Inspector shall receive an annual salary to be fixed by the Governor with the approval of the Budget Committee, and such Director and such Mine Inspectors shall receive in addition to their salaries, their expenses while in the discharge of their official duties as other state employees are paid.

The Director may appoint a stenographer, and said Director, Mine Inspectors and stenographer shall be paid monthly as due on sworn vouchers approved by the Director. The Director may procure such instruments, chemical tests, stationery, and stamps and incur such communication expense as may be necessary to discharge his duties and those of his Mine Inspectors.

POWERS AND DUTIES OF DIRECTOR AND MINE INSPECTORS

SEC. 20. (A) The Director shall devote his entire time and attention to the duties of his office during working hours, and shall be subject to call at all times. The Director and Mine Inspectors are authorized to enter, examine, and inspect all commercial coal mines and facilities

belonging thereto, at any time, and the operator of any such mine is hereby required to furnish the necessary facilities for such entry, examination, and inspection.

(B) The Director shall have full direction of the official activities of the Mine Inspectors and shall be responsible therefor.

(C) The Director and each Mine Inspector are hereby empowered to act as police officers, with full power to arrest and detain any person found violating any provision of the Mining Laws of Indiana, or engaged in any attempt to violate any such laws or part thereof; provided, however, that no such person shall be detained for any period of time longer than twenty-four hours without warrant or the filing of a charge against him in a court of competent jurisdiction. Such Director and each Mine Inspector also shall have power and it is hereby made their duty to stop immediately the operation of any coal mine or part thereof when any dangerous or unlawful condition exists; provided, however, that where conditions exist justifying him to do so, he shall grant a reasonable length of time for making necessary repairs, and provided, further, that where any stop in operation is enforced, such Director and Mine Inspectors shall be empowered to subsequently allow such mine or part of a mine to be reopened when the dangerous or unlawful conditions have been remedied or moved. If the operator or a workman believes that an Inspector has acted illegally in citing violations of the Act, they may appeal to the Director for relief from such citation. The Director may grant or deny such relief after a hearing, at which all interested parties have been notified of such hearing and given an opportunity to present evidence in support of their contentions.

(D) It shall be the responsibility of the Director to collect statistics relating to coal mining in the State, and include such statistics in his annual report to the Governor. Such report shall cover fully his proceedings during the preceding calendar year, and shall be transmitted to the Governor within sixty calendar days after the close of each calendar year. The report shall cover the complete operation of the coal mines in the State during the preceding calendar year, and shall include a record of all accidents that render the victim physically unable to resume his regular occupation on the day after the injury occurred in or about any such mine during the year, number of men employed, tons produced, number of days worked at individual mines, and suggestions for improving existing mining laws. The Governor shall cause a sufficient number of such reports to be published directly after receiving the same to supply coal-mine operators, coal miners, and their representatives, and the public generally, who shall be furnished copies of such reports upon application therefor without expense.

(E) The Director shall keep a properly indexed, permanent record of all inspections made by himself and the Mine Inspectors, and copies of all reports relating to coal mines shall be kept on file, and all such records shall, at all times during office hours, be open to inspection by the public, and shall be laid before the Governor at any time upon his request.

(F) The Director is hereby empowered to revoke, in writing, any order issued by a Mine Inspector for the purpose of stopping the operation of a mine or part thereof. However, such revocation of an order shall not be made unless and until the Director has made a personal exami-

nation of the mine or part thereof affected and determined it to be in a safe condition to operate.

(G) The Director or Mine Inspectors shall make a personal inspection of each underground coal mine in this State, (1) at least once every three months, or oftener if practicable, while the mine is in operation, (2) whenever any danger to the workmen may exist, or (3) whenever called upon to do so by the workmen or their representatives. During a regular inspection the inspector shall inspect the surface plant; every working place in the mine; all active haulageways, travelways, and airways in their entirety; entrances to abandoned workings; accessible old workings; escapeways and all other places where men work or travel; electric equipment and installations; first-aid equipment; ventilation facilities; communications installations; roof and rib conditions; blasting practices, etc. The inspector shall measure the volume of air at the intake and return of the main ventilating current and of each split, and the amount passing through the last breakthrough in each pair or set of entries, and designate to the mine foreman where we shall measure the currents f air as required by the mining laws of this State. In mines operating more than one shift in a twenty-four hour period, the inspector shall devote sufficient time to the second and third shift to determine conditions and practices related to the health and safety of the employees. He shall make tests for gas and oxygen deficiency in each place which he is required to inspect in the mine.

(H) The Director or Mine Inspector making an inspection of a mine shall make an accurate report covering such inspection, showing the date of inspection and actual time required to make the inspection; the condition in which

the mine is found; the extent to which the laws relating to mines are violated; the progress made in the improvement of the mine, where such progress relates to the health and safety of the employees; the number of fatal injuries and the number of nonfatal lost-time injuries resulting from accidents in and around the mine, and their cause; and in case any violation of the mining laws is found, the specific section or sections violated, with recommendations for correcting them, and the action taken to eliminate them shall be shown.

(I) The Director or Mine Inspector making an inspection of a mine shall within three days after the completion of the inspection, deliver one copy of his inspection report on the mine to the operator, superintendent, or mine foreman of the mine inspected; one copy to the mine safety committee, if such a committee is maintained; one copy to the district office of the mine workers' organization having jurisdiction at the mine; one copy shall be posted within the three-day limit on a bulletin board at a prominent place on the premises where it can be conveniently read by the employees, and the report shall not be removed from such board until the report of the succeeding examination is posted. The Director or Mine Inspector shall keep the mine foreman or superintendent informed as much as is practicable of any violation or other unsafe condition as his regular inspection progresses. In instances where, in the opinion of the Mine Inspector, an imminent or serious disaster hazard exists, such inspector shall report the same to the Director by the quickest available means.

(J) Mine Inspectors shall report immediately upon being informed of a mine fire, mine explosion, or any accident resulting in loss of life or serious injury, to the Director,

the nearest office of the United States Bureau of Mines, and to the district office of the mine workers' organization having jurisdiction at the mine.

(K) The Mine Inspector shall proceed immediately to the scene of any mine accident in his assigned territory that results in loss of life or serious personal injury, and to the scene of any mine fire or explosion regardless of whether there is loss of life or personal injury, make such investigation and recommendations and render such assistance necessary for the safety of the employees, make a complete report thereof and give such report to same distribution as a regular mine inspection report. The district president of the mine workers' organization having jurisdiction at the mine, or some person delegated by him, the mine safety committee at the mine involved, and Federal coal-mine inspectors shall be permitted to actively and fully participate in the investigation of any such accident and any hearings held in connection therewith, including the right to call, examine and cross examine witnesses. At all hearings held in connection with accidents that result in loss of life, the Director and Mine Inspectors are empowered to compel the attendance of witnesses, and administer oaths or affirmation to them, and the costs of such investigations shall be paid by the county in which the accident occurs, as cost of coroner's inquests are now paid.

(L) The Mine Inspector shall take charge of any necessary mine rescue and recovery work in his assigned territory in the absence, or on the order of the Director, and supervise the reopening of any mine or part thereof that has been sealed, closed, or abandoned.

(M) It shall be the duty of the Director and Mine Inspectors to enforce the coal-mining laws of this State, and

the Mine Inspectors shall perform such other official duties required by the Director as may be necessary to secure full compliance with the coal-mining laws of this State.

CERTIFICATION BOARD FOR MINE FOREMEN, FIRE BOSS, SHOT FIRER, AND HOISTING ENGINEER

SEC. 21. There is hereby created and established a certification board for examining applicants for certificates for mine foreman, fire boss, shot firer and hoisting engineer, and for granting such certificates. Such board shall consist of one miner recommended by the miners' organization having the majority of members in the State; one coal-mine operator or coal-mine operating official recommended by the coal operators of the State, and the Director.

The miner member and operator member each shall have at least ten years of practical experience underground in coal mines, at least four years of which shall have been in mines in this State and shall possess a mine foreman certificate issued by this State.

APPOINTMENT BY GOVERNOR—COMPENSATION

SEC. 22. The Governor shall appoint the miner and operator of such examining board who shall hold office for a term of four years and until their successors are duly appointed and qualified. Each member, except the Director shall receive compensation while going to, attending or returning from meetings of such board, together with traveling and other necessary expenses incurred on account of their official board duties.

CHAIRMAN AND SECRETARY OF BOARD—MEETINGS

SEC. 23. The Director shall assume the duties of chairman and secretary of such examining board, and shall keep

a record of its official actions and file such record together with all questions and answers pertaining to examinations conducted by the board, including the grade given for the answer to each question. Such record shall be open for inspection by interested persons. The board shall meet at least annually at such time and place as it shall deem advisable for the purpose of examining applicants for certificates. At least thirty days notice of the place and date of each meeting of the board held for examining applicants shall be given by publication in a newspaper published in the town or city where the examination is to be held, and also by posting copies of the published notice at all coal mines in this State. By a majority vote, the board shall establish its regulations and rules of procedure, and provide suitable certificates.

EXAMINATION OF APPLICANTS—QUALIFICATIONS —FEE

SEC. 24. It shall be the duty of the Certification Board to examine any person applying thereto for a certificate for mine foreman, fire boss, shot firer, or hoisting engineer, and to issue certificates of competency to the applicants who, upon examination, prove themselves competent and qualified. Certificates issued by the Board shall be valid only when the examination for same has been held in the presence of and signed by all members of the Board; and no person taking the examination shall be issued a certificate of competency whose grade on any one subject shall be less than seventy-five per cent. The Board shall observe the following requirements in conducting examinations:

(a) Each applicant for a mine-foreman certificate shall be at least twenty-five years of age; a citizen of the United States with at least five years of experience underground in coal mines. He shall prove to the Board by written and

oral examination and by demonstration where applicable, that he has a thorough knowledge of the theory and practice of coal mining; the nature and properties of poisonous, noxious and explosive gases and methods for their detection and control; the requirements of the coal-mining laws of this State and of the responsibilities and duties of a mine foreman under such laws; and that he is otherwise qualified by law.

(b) Each applicant for a fire-boss certificate shall be at least twenty-five years of age; a citizen of the United States with at least five years experience underground in coal mines. He shall prove to the Board by written and oral examination and by demonstration where applicable, that he has a thorough knowledge of the nature and properties of poisonous, noxious, and explosive gases and methods for their detection and control; of the practical aspects of coal mining pertaining especially to ventilation and roof control; the responsibilities of a fire boss under the coal-mining laws of this State; and that he is otherwise qualified by law.

(c) Each applicant for a shot-firer certificate shall be at least twenty-one years of age; a citizen of the United States with at least three years of experience in coal mines. He shall prove to the Board by written and oral examination and by demonstration where applicable, that he has a working knowledge of the proper handling and use of explosives and blasting devices and the danger connected therewith; of the nature and properties of poisonous, noxious, and explosive gases and methods for their detection; that he has a thorough knowledge of the coal-mining laws of the State pertaining to ventilation, roof control, and blasting, and of the responsibilities of a shot firer under such laws; and that he is otherwise qualified by law.

(d) Each applicant for a hoisting-engineer certificate shall prove to the Board by written and oral examination and by demonstration where applicable, that he is capable of operating a hoist and that he has a thorough knowledge of the coal-mining laws of this State pertaining to hoisting operations, and that he is otherwise qualified by law.

(e) Each applicant for examination shall deposit with the Director an examination fee of four dollars ($4.00), and each person to whom a certificate is granted shall pay to the Director an additional fee of one dollar ($1.00), all fees to be covered into the State Treasury.

(f) Any mine-foreman, fire-boss, or hoisting-engineer certificate issued prior to the effective date of this act shall be valid under the Mining Laws of Indiana.

(g) All shot firers shall be properly certified under the Mining Laws of Indiana by January 1, 1956.

(h) In considering the qualifications of an applicant for a mine-foreman or fire-boss certificate, the Certification Board shall accept each year of training as a mining engineer in an accredited college or university as the equivalent of one year's practical experience underground; provided that such credit shall not exceed three years for any one applicant.

REVOCATION OF CERTIFICATE — REEXAMINATION —DUPLICATE CERTIFICATES—FILING CERTIFICATES AT MINE OFFICE

SEC. 25. Any mine-foreman, fire-boss, shot-firer or hoisting-engineer certificate granted before or subsequent to the effective date of this Act may be revoked by the Certification Board after hearing, upon due notice to the holder of the certificate, and upon written charges preferred by

the Board or by some interested person or persons. Complaint may be filed against the holder of a certificate for intoxication while in duty status, mental disabilities, neglect of duty, or intentional violation of the coal-mining laws of this State. The holder of a certificate so revoked shall be entitled to examination by the Board after three months has elapsed from the date of revocation thereof; provided he can prove to the satisfaction of the Board that the cause for revocation of his certificate has ceased to exist. In event of loss or destruction of any certificate issued under the coal-mining laws of this State, the Board, upon satisfactory proof of such loss or destruction, shall issue a duplicate certificate on receipt of one dollar ($1.00), which fee shall be covered into the State Treasury.

The holder of a mine-foreman, fire-boss, shot-firer, or hoisting-engineer certificate issued before or after the effective date of this Act shall present same or photostatic copy thereof to the official of the mine where he is employed, who shall file same in the office at such mine, and such file shall be made available for inspection by interested persons.

CERTIFICATES REQUIRED

SEC. 26. (A) It shall be unlawful for any person to serve in the capacity of mine foreman, fire boss, shot firer, or hoisting engineer at any time unless he is properly certified; provided, however, that this shall not apply to shot firers until January 1, 1956.

(B) It shall be unlawful for any operator of any mine in this State to employ any person in the capacity of mine foreman, fire boss, shot firer, or hoisting engineer at any time unless such person is properly certified; provided, however, that this shall not apply to shot firers until January 1, 1956.

CERTIFICATION OF MINERS

SEC. 27. (A) In every county in this State where coal mining is or will be carried on, the Board of County Commissioners of such counties shall appoint a Miners' Examining Board, said Board shall consist of two resident coal miners and one resident coal-mine operator, each of whom shall have had at least five years' practical experience in mining coal, and shall, at the time of his appointment, be engaged in coal mining in the county wherein he is appointed; provided, however, that this section shall not apply to any county unless there is located in such county an underground coal mine employing an average of ten or more miners a day.

(B) The coal miner members shall be recommended by the miners' organization having the majority of members in the county; the operator member shall be recommended by the coal-mine operators of the county. Such members shall hold office until the first Monday of the January next, following their appointment, or until their successors are appointed and qualify. Any vacancy occurring shall be filled by the Board of County Commissioners at the next regular session of such Board.

(C) Each Board shall select a Chairman and Secretary and establish regulations and rules of procedure and time and place of meetings. Members of these Boards shall be compensated for each day of actual service in their official duties, and shall be compensated for all legitimate and necessary expenses incurred in connection with such official duties, which sums shall be allowed by the County Commissioners, appropriated by the County Council, and paid by the County Treasury.

(D) No person shall be employed underground in any coal mine in this State unless he possesses a certificate of competency issued by a Miners' Examining Board in this State; provided, however, that this shall not prevent the employment of a person who does not possess such a certificate to work with a person who does possess such a certificate for the purpose of becoming qualified to obtain such a certificate, and provided further that any person working to obtain such certificate shall first obtain a permit from the Miners' Examining Board by stating his age, nativity, and residence. The Miners' Examining Board shall grant a permit to each applicant who is of legal age and who has such intelligence and character that he will not be a menace to life and property.

(E) The Director shall provide, at State expense, suitable certificates, permits, and record books which shall be issued by each Miners' Examining Board. The Boards' record shall include names of all applicants for permits and certificates and the names of all persons to whom permits and certificates are issued.

(F) A certificate of competency shall be granted to each applicant who has had two years' experience underground in coal mines and who otherwise is qualified.

(G) A person shall not work underground in a coal mine unless he possesses a suitable permit or certificate. An operator shall not employ any person underground in a coal mine unless he possesses a proper permit or certificate.

(H) Each applicant for a permit or certificate shall pay the Miners' Examining Board at the time of application a fee of one dollar ($1.00). All moneys received by each Board shall be paid over to the County Treasury at least once a month.

(I) Each Board shall annually on the first Wednesday of each January report to the Board of County Commissioners appointing them, the names of all persons applying for permits and certificates, the amount of money received, the names of all persons granted permits and certificates, and the names of all persons refused permits and certificates, and such report shall be open for inspection by interested persons.

EMPLOYMENT OF MINE FOREMAN AND ASSISTANTS—DUTIES

SEC. 28. Each commercial mine shall be supervised by a properly certified mine foreman who shall see that the provisions of the coal-mining laws of Indiana that pertain to his duties and to the health and safety of the employees are complied with. When the mine workings are so extensive that the mine foreman is unable personally to carry out the duties required by him by law, the operator shall employ a sufficient number of properly certified assistants who shall act under the direction of the mine foreman. The mine foreman or his assistants shall not permit any person to work in an unsafe place except for the purpose of making it safe, and such work shall be under the direction and instruction of a certified official. The mine foreman shall provide such data and information regarding the operation of the mine as may be required by the Director on blanks which shall be furnished by the Director.

DUTIES OF MINE OPERATORS

SEC. 29. (A) The operator of each underground commercial mine shall report to the Director on or before the 15th day following each calendar month certain information. Such information shall include the name of the operator, the

name of the person in charge, the seam mined, the tons of coal produced, the number of men employed, the number of days the mine operated, the number of lost time accidents, the number of days lost during the month due to mine injuries, together with such information as may be required by the Director. Forms for filing such reports shall be furnished by the Director upon application therefor.

(B) The operator of any underground commercial mine shall notify the Director immediately when an accident occurs which prohibits the normal operation of the mine for one or more shifts, or for the remainder of the shift during which the accident occurred; and when any injury has been incurred that results in loss of life or requires the attendance of a physician or surgeon.

(C) It shall be the duty of the operator of any underground commercial mine to employ only persons certified under the coal-mining laws of this State as mine foreman, assistant mine foreman, fire boss, shot firer, and hoisting engineer.

(D) It shall be the duty of the operator of any underground commercial mine to operate such mine in full conformity with the coal-mining laws of this State.

HEALTH AND SAFETY
SURFACE STRUCTURES AND CONDITIONS

TIPPLE AND CLEANING PLANT

SEC. 30. (A) In dusty locations, electric motors, switches, lighting fixtures, and controls shall be protected by reasonable dusttight construction.

(B) Structures shall be kept reasonably free of coal-dust accumulations.

(C) Where coal is dumped at or near air intake openings, provisions shall be made to prevent the dust from entering the mine in such quantities as to create a dangerous condition.

(D) Where repairs are being made to the plant, or where equipment or material is being used or transported overhead, proper scaffolding or proper overhead protection shall be provided.

(E) Welding or cutting with arc or flame shall not be done in dusty atmosphere or dusty locations, and fire-fighting apparatus shall be readily available during such operations.

LAMP HOUSE

SEC. 31. (A) Naphtha or other flammable liquids in lamp houses shall be kept in safe containers and safe dispensers.

(B) Flame safety lamps and methane detectors or indicators shall be of permissible type and maintained in permissible condition. All flame safety lamps and methane detectors or indicators shall be properly cleaned, assembled, and checked by a qualified lamp attendant or other competent person before each period of use. All lamps used for portable illumination shall be properly cleaned and checked by a qualified lamp attendant or other competent person.

(C) Flame safety lamps, cap lamps, other devices used for portable illumination, and methane detectors or indicators, when not in service, shall be kept on the surface in the care of a responsible person.

STAIRWAYS, LADDERS, PLATFORMS, AND RUNWAYS

SEC. 32. (A) Stairways, elevated platforms, floor openings, and elevated runways shall be equipped with suitable

handrails or guardrails. Permanent ladders more than 10 feet in height shall be provided with back guards.

(B) Elevated platforms, floor openings, and runways shall be provided with toeboards. Stairways built after the effective date of this act shall be provided with toeboards. Platforms, stairways, and runways shall be kept clear of stumbling and slipping hazards and maintained in good repair.

HOUSEKEEPING

SEC. 33. (A) Good housekeeping shall be practiced in and around mine buildings and yards. Such practices include cleanliness, orderly storage of materials, and the removal of possible sources of injury, such as stumbling hazards, protruding nails, broken glass, and falling and rolling materials.

LIGHTING

SEC. 34. (A) Lights shall be provided as needed in or on surface structures.

(B) Paths and walks outside of structures which are required to be used by workmen in the performance of their work shall be kept free of unnecessary obstructions, and shall be suitably illuminated when required to be used at night.

MISCELLANEOUS SURFACE CONDITIONS

SURFACE FIRE PREVENTION

SEC. 35. (A) Oil, grease, and similar flammable materials shall be kept in closed containers, separate from other materials so as not to create a fire hazard to nearby buildings or mines. If oil or grease is stored in a building, the building or room in which it is stored shall be of fire resistant construction and well ventilated.

(B) Oily rags, oily waste, and waste paper shall be kept in closed metal containers until removed for disposal.

(C) Smoking shall be prohibited in or around oil houses, explosive magazines or other places where such practice may cause a fire or explosion.

(D) After the effective date of this act, all structures erected on the surface within 100 feet of any mine opening shall be of reasonable fireproof construction. Unless existing structures located within 100 feet of any mine opening are of such construction, fire doors shall be erected at effective points in mine openings to prevent smoke or fire from outside sources endangering men working underground. These doors shall be tested at least monthly to insure effective operation. A record of such tests shall be kept and shall be available for inspection by interested persons.

(E) Wherever practicable, the area within 100 feet of all mine openings shall be kept free of combustible material; provided, however, that this shall not apply to the temporary storage of not more than a 1-day supply of such materials.

CONTROL OF ROOF, FACE, AND RIBS

SUPPORT STANDARDS

SEC. 36. (A) Adequate minimum standards for roof support suitable to the roof conditions and mining system of each mine shall be adopted and followed after written approval of the Director. Such standards shall show the minimum number and the location of supports, such as posts, cross bars, or bolts, that shall be installed.

(B) After the passage of this Act, before roof-bolting is adopted instead of conventional timbering as a sole means of support, its effectiveness shall be proved by experimental installations made in rooms or back entries where there is

likely to be little travel after completion. Such experimental installations of bolts shall be accompanied by adequate conventional timbering. After such experimental area has been abandoned for regular travel, the timbers may be removed and the effectiveness of the bolts observed over a period of 2 months. On the basis of these observations, the minimum systematic support standards shall be determined.

(C) On the basis of such experimental installations, and those installations in use before passage of this Act, the Director may issue a permit approving the installation of bolts as a means of roof support. Such permit shall show:

(1) Type of bolt.
(2) Dimensions of bolt.
(3) Spacing of bolts.
(4) Maximum width of place where bolts are installed.
(5) Maximum distance from face bolts are to be installed.
(6) Type and size of bearing plates.
(7) Safety precautions to be taken.
(8) Timbers to be set, if any, in connection with bolting.
(9) Area of mine involved.

(D) Roof bolting shall not be used as a means of permanent roof support prior to the experimental period set forth in this act and the issuance of a permit by the Director.

(E) No changes shall be made in any roof-bolting installation prior to the issuance of a revised permit by the Director.

(F) Any willful violation of any of the provisions in subsection "C" of this section automatically voids the roof-bolting permit.

SUPPORT SUPPLIES AND METHODS

SEC. 37. (A) The management shall provide at or near the face workings an ample supply of suitable materials of proper size with which to secure all working places in a safe manner.

(B) Safety posts, jacks, or temporary cross bars shall be set close to the face when necessary for safety before other operations are begun and as needed therafter.

(C) Roof shall be adequately supported to protect the workmen when roof material is being taken down, cross bars are being installed, roof-bolt holes are being drilled, and when roof bolts are being installed.

(D) The roof in all underground working places shall be secured sufficiently wherever necessary, to protect employees from falls of roof, face, or rib. Loose roof and overhanging or loose faces and ribs therein shall be taken down or supported.

(E) The roof and ribs of all active underground roadways and travelways in a mine shall be adequately supported to protect persons from falls of roof or ribs, and traffic thereunder shall be prohibited until the danger has been removed.

(F) Supports knocked out accidentally shall be replaced promptly.

(G) Permanent supports in active workings shall not be removed unless equivalent protection is provided.

(H) Where roof supports are required at the working faces, persons shall not advance beyond artificially supported roof, except those who are assigned to install supports or inspect the place.

TESTING OF ROOF, FACE, RIBS, AND ROOF BOLTS

SEC. 38. (A) The management shall instruct all underground workmen in the proper testing of roof, face, and ribs.

(B) Persons exposed to danger from falls of roof, face, and ribs shall examine and test the roof, face, and ribs before starting work or before starting a machine and frequently thereafter. When dangerous conditions are found, they shall be corrected immediately before work is continued or any other work is done, or the place shall be vacated.

(C) Any foreman finding a dangerous roof, rib or face condition in any working place shall cause such condition to be corrected and shall order the removal of persons exposed to such danger from the area of danger except those required to correct such condition.

(D) When there is danger of coal rolling on a person during or after cutting, it shall be spragged by placing blocks in the cut or by blocking with leaning posts.

(E) A bar of proper length shall be used to bar down loose material.

(F) Cross bars and their supports shall be well secured to prevent them from being dislodged by falling or rolling coal or rock.

(G) When roof bolts are tested, such testing shall be done by qualified persons designated by the mine foreman.

RECOVERY OF SUPPORTS

SEC. 39. Recovery of roof supports shall not be done by inexperienced persons unless such persons are being trained by a qualified person. Roof bolts shall not be recovered by inexperienced persons and where roof bolts are recovered adequate temporary supports shall be provided.

EXPLOSIVES AND BLASTING

SURFACE MAGAZINES

SEC. 40. (A) Separate surface magazines shall be provided for the storage of explosives, detonators, and blasting heater elements.

(B) Surface magazines for storing and distributing explosives in amounts exceeding 125 pounds shall be:

(1) Reasonably bulletproof and constructed of incombustible material or covered with fire-resistive material. The roofs of magazines so located that it is impossible to fire bullets directly through the roof from the ground need not be bulletproof, but where it is possible to fire bullets directly through them, roofs shall be made bullet-resistant by material construction, or by a ceiling that forms a tray containing not less than a 4-inch thickness of sand, or by other methods.

(2) Provided with doors, constructed of ⅜-inch steel plate lined with a 2-inch thickness of wood, or the equivalent.

(3) Provided with dry floors made of wood or other nonsparking material and have no metal exposed inside the magazine.

(4) Provided with suitable warning signs so located that a bullet passing directly through the face of a sign will not strike the magazine.

(5) Provided with properly screened ventilators.

(6) Equipped with no openings except for entrance and ventilation.

(7) Kept locked securely when unattended.

(C) Surface magazines for storing detonators and blasting heater elements need not be bulletproof, but they shall be in accordance with other provisions for storing explosives.

(D) Explosives or blasting heater elements in amounts of 125 pounds or less or 5,000 detonators or less shall be stored in accordance with preceding standards or in separate locked box-type magazines. Box-type magazines may also be used as distributing magazines when quantities do not exceed those mentioned. Box-type magazines shall be constructed strongly of 2-inch hardwood or the equivalent. Metal magazines shall be lined with nonsparking material. No magazine shall be placed in a building containing oil, grease, gasoline, waste paper, or other highly flammable material, nor shall a magazine be placed less than 20 feet from a stove, furnace, open fire, or flame.

(E) The location of magazine shall not be less than 200 feet from any mine opening, occupied building, or public road. Where compliance with this provision is not practicable, the magazine shall be effectively barricaded.

(F) The supply kept in distribution magazines shall be limited to approximately 1 day's requirements, and such supplies of explosives and detonators may be distributed from the same magazine, if separated by at least a 4-inch substantially fastened hardwood partition or the equivalent.

(G) The area surrounding magazines for not less than 25 feet in all directions shall be kept free of rubbish, dry grass, or other materials of a combustible nature.

(H) If the explosives magazine is illuminated electrically, the lamps shall be of vapor-proof type, installed and wired so as to present minimum fire and contact hazards.

(I) Only nonmetallic tools shall be used for opening wooden containers. Extraneous materials shall not be stored

in an explosives, detonator, or blasting heater-element magazine.

(J) Smoking, carrying smokers' articles, or open flame shall be prohibited in or near any magazine.

CARDOX CHARGING STATION

SEC. 41. (A) A cardox charging station shall:

(1) Be in a fireproof structure on the surface or isolated from other operations in the same building by a substantial fire-proof partition.

(2) Be provided with at least two methods of relieving excess pressure in the storage tank at least one of which shall be automatic. If one of these methods is a valve, the valve shall be tested monthly.

(B) The daily supply of heater elements shall be kept in a box-type magazine.

UNDERGROUND TRANSPORTATION

SEC. 42. (A) Explosives or detonators carried anywhere underground by any person shall be in containers constructed substantially of nonconductive material, maintained in good condition, and kept closed.

(B) When explosives or detonators are transported underground in cars moved by means of a locomotive or rope, or in shuttle cars, they shall be in substantial covered cars or in special substantial covered containers used specifically for transporting detonators or explosives.

(1) The bodies and covers of such cars and containers shall be constructed or lined with nonconductive material.

(2) If explosives and detonators are hauled in the same explosives car or in the same special container, they shall be separated by at least a 4-inch substantially fastened hardwood partition or the equivalent.

(3) Explosives, detonators, Cardox shells, or other explosive items shall not be transported on the same trip with men.

(4) When explosives or detonators are transported in special cars or containers in cars, they shall be hauled in special trips not connected to any other trip; provided, however, that this does not prohibit the use of such additional cars as needed to lower a rope trip, or to haul supplies including timbers; and, provided, further, that materials so transported shall not project above the top of the car. Exposed highly flammable materials such as hay, oil, or grease shall not be hauled on the same trip with explosives.

(5) Explosives or detonators shall not be hauled into or out of a mine within 5 minutes preceding or following a man-trip or any other trip.

(C) Explosives and detonators shall be transported underground by belt only under the following conditions:

(1) In the original and unopened case, in special closed cases constructed of nonconductive material, or in suitable individual containers.

(2) Clearance requirements shall be the same as those for transporting men on belts.

(3) Suitable loading and unloading stations shall be provided.

(4) Stop controls shall be provided at loading and unloading points, and an attendant shall supervise the loading and unloading of explosives and detonators.

(D) Neither explosives nor detonators shall be transported on flight or shaking conveyors, scrapers, mechanical loading machines, locomotives, cutting machines, drill trucks, or any self-propelled mobile equipment; provided, however, that this does not prohibit the transportation of explosives or detonators in special closed containers in equipment designed especially to transport such explosives or detonators.

UNDERGROUND STORAGE

SEC. 43. (A) When supplies of explosives and detonators for use in one or more sections are stored underground, they shall be kept in section boxes or magazines of substantial construction with no metal exposed on the inside, located at least 25 feet from roadways and power wires, and in a reasonably dry, well rock-dusted location protected from falls of roof.

(B) When explosives or detonators are stored in the section, they shall be kept preferably in separate boxes or magazines not less than 5 feet apart; if kept in the same box or magazine, they shall be separated by at least a 4-inch substantially fastened hardwood partition or the equivalent. Not more than a 48-hour supply of explosives or detonators shall be stored underground in such boxes or magazines.

(C) Explosives and detonators stored near the working faces shall be in separate closed containers, and shall be in a location out of line of blast not less than 50 feet from the face and 15 feet from any pipe line, power line, rail or conveyor; except that if kept in niches in the rib, the distance

from pipe line, power line, rail or conveyor shall be at least 5 feet. Such explosives and detonators, when stored, shall be separated by a distance of at least 5 feet.

(D) Explosives and detonators shall be kept in their containers until immediately before use at the working faces.

(E) Only nonmetallic tools shall be used for opening wooden explosives containers. Tools or other materials shall not be stored with explosives or detonators.

BLASTING PRACTICES

SEC. 44. (A) Black blasting powder shall not be stored, handled, or used underground in a mine.

(B) All explosives used underground in coal mines shall be of the permissible type and shall be used as follows:

(1) Fired only with electric detonators of proper strength.

(2) Fired with permissible shot-firing units, unless firing is done from the surface when all men are out of the mine.

(3) Where the coal is cut, shots shall not be fired if the blast hole is drilled beyond the limits of the cut.

(4) Boreholes shall be cleaned, and they shall be checked by the shot firer to see that they are placed properly and are of correct depth, in relation to the cut, before being charged. Improperly drilled holes shall not be charged.

(5) All blasting charges in coal shall have a burden of at least 18 inches in all directions if the height of the coal permits.

(6) Boreholes shall be stemmed with at least 24 inches of incombustible material, or at least one-half of the length of the hole shall be

stemmed if the hole is less than 4 feet in depth unless other permissible stemming devices or methods are used.

(7) In gassy mines, examinations for gas shall be made immediately before firing each shot or group of multiple shots and after blasting is completed.

(8) Shots shall not be fired in any place where methane can be detected with a flame safety lamp when tested at a point not less than 12 inches from roof, face, and rib.

(9) Charges exceeding 1½ pounds, but not exceeding 3 pounds, shall be used only if boreholes are 6 feet or more in depth, the explosives are charged in a continuous train, with no cartridges deliberately deformed or crushed, with all cartridges in contact with each other and with the end cartridge touching the back of the hole and the stemming respectively, and Class A or Class B permissible explosives are used; provided, however, that the 3-pound limit does not apply to solid rock work.

(10) Boreholes shall not be charged while any other work is being done at the face, and the shot or shots shall be fired before any other work is done in the zone of danger from blasting, except that which is necessary to safeguard the employees.

(11) Only nonmetallic tamping bars shall be used for charging and tamping boreholes. This does not prohibit the use of nonmetallic tamping bar with a nonsparking metallic scraper on one end.

(12) The leg wires of electric detonators shall be kept shunted until ready to connect to the firing cable.

(13) Shots shall not be fired from the power or signal circuit while any men are in the mine.

(14) The roof and ribs of working places shall be tested before and after firing each shot or group of multiple shots.

(15) Ample warning shall be given before shots are fired, and care shall be taken to ascertain that all persons are in the clear. Men shall be removed from adjoining working places where there is danger of a shot blowing through.

(16) Mixed types or brands of explosives shall not be charged or fired in any borehole.

(17) Shots shall be prepared and fired by certified shot firers.

(18) Mudcaps (adobes) or other unconfined shots shall not be fired underground in a mine.

BLASTING CABLES

SEC. 45. (A) Blasting cables shall be:

(1) Well insulated and as long as may be necessary to permit the shot firer to get in a safe place around a corner.

(2) Short-circuited at the battery end until ready to attach to the blasting unit.

(3) Staggered as to length or the ends kept well separated when attached to the detonator leg wires.

(4) Kept clear of power wires and all other possible sources of active or stray electric current.

MISFIRES

SEC. 46. (A) Where misfires occur with electric detonators, a waiting period of at least 5 minutes shall elapse before anyone returns to the shot. After such failures, the blasting cable shall be disconnected from the source of power and the battery ends short-circuited before electric connections are examined.

(B) Explosives shall be removed by firing a separate charge at least 2 feet away from, and parallel to, the misfired charge or by washing the stemming and the charge from the borehole with water, or by inserting and firing a new primer after the stemming has been washed out. Misfires shall be removed promptly and before any other work is done in such place.

(C) A very careful search of the working place, and, if necessary, of the coal after it reaches the tipple shall be made after blasting a misfired hole, to recover any undetonated explosive.

(D) The handling of a misfired shot shall be done by a certified shot firer.

CARDOX

SEC. 47. (A) The provisions governing the handling, storage, and transportation of explosives shall apply to the heater elements of Cardox blasting devices prior to their installation in the shells.

(B) Charged Cardox shells shall, except where transported on rubber belts, be transported underground in covered insulated cars or in covered insulated boxes placed in ordinary mine cars or shuttle cars. They shall be stored on wooden racks or in insulated containers in a crosscut or idle room neck at least 10 feet from pipe lines, power lines, con-

veyors, roadways and haulage tracks, and shall not be removed from such rack or container or wired until ready to use at the face.

(C) Where Cardox is used for blasting, the following shall apply:

(1) When Cardox is fired all persons in the vicinity, including the shot firer, shall be around a second corner or in an equally safe place.

(2) Blasting cables shall be as long as may be necessary to assure the safety of the shot firer, attached only after the charge has been placed in the borehole, and maintained in good repair.

(3) Blasting cables shall be kept clear of power wires and all other possible sources of active or stray currents.

(4) The charge shall be detonated with a permissible shot-firing unit.

(5) Cardox shall not be shot off the solid, over heavy rock binders or shale, or in a "tight" shot. Cardox shells shall not be used in improperly drilled holes.

(6) Cardox misfires shall not be approached until after the elapse of 15 minutes. Immediately after such waiting period, the misfired shell shall be bled off before complete removal from the hole, and marked conspicuously upon such removal.

(7) Cardox misfires shall be handled by a certified shot firer.

(8) All protruding wires shall be removed from the face.

misfire shells before the shells are removed from

(9) In gassy mines, examinations for gas shall be made immediately before and after firing each shot or group of multiple shots.

(10) Shots shall not be fired in any place where methane can be detected with a flame safety lamp when tested at a point not less than 12 inches from roof, face, and ribs.

(11) Cardox shells shall not be heated. This does not apply to heat generated when the shell is discharged.

(12) Blasting with Cardox shall be done by certified shot firers.

COMPRESSED AIR BLASTING

SEC. 48. (A) Where compressed air is used for blasting or breaking down the coal, the following shall apply:

(1) Air lines shall be tested to withstand an approximate pressure of 20,000 pounds per square inch.

(2) Air lines shall be grounded at the compressor and, if possible, at other low-resistance ground connections along the lines, such as at borehole casings. They shall not be connected in any way to tracks, water lines, or other electric power return conductors and shall be suitably insulated where they cross electric wires or underneath the track.

(3) Shut-off valves shall be installed every 1,000 feet in all compressed-air blasting lines and in all branch lines at a point near the main lines.

(4) Compressed-air blasting lines shall be protected or adjacent to them.

at places where equipment passes over, under,

(5) Steel, copper, or other lines shall not be handled or repaired when air pressure is in the line.

(6) Air lines shall be examined periodically for kinks or other weaknesses and replaced immediately when defects are found.

(7) Tubing shall be coiled and uncoiled properly. The part of the tubing that is affected by frequent coiling and uncoiling shall be renewed periodically.

(8) Blow-down valves shall not be less than 45 feet from the face and shall be around a right angle.

(9) Holes for compressed-air tubes shall be within the limits of the cut, and compressed-air devices shall not be used in improperly drilled holes.

(10) When blow-down valves are open to discharge the tube, they shall remain open until time to place the tube in the next borehole.

(11) After breaking down the coal in any one place, the tube shall be disconnected at once from the air line and not reconnected until ready to be used in the next place.

(12) When a differential pressure-type tube fails to discharge, the line leading to the tube shall be disconnected at the blow-down valve, and the tube shall be dragged by means of the line to an inactive place, marked with warning signs, and left 1 hour before any repair work is done thereon.

(13) All persons shall be removed from adjoining working places where there is danger of breaking through and shall be at a safe distance

around a right angle while coal breaking is in progress.

(14) Breaking coal with compressed air shall be done by certified shot firers.

VENTILATION AND MINE GASES

MAIN FANS

SEC. 49. (A) All mines shall be ventilated by means of main fans installed as follows:

(1) On the surface.

(2) In fireproof housings.

(3) Offset not less than 15 feet from the nearest side of the mine opening; provided, however, that this does not apply to present fans that are offset any distance from the mine opening if they otherwise comply with subsection "A" of this section and were installed prior to the effective date of this act.

(4) Equipped with fireproof air ducts and ample means of pressure relief.

(5) The fan may be directly in front of, or over, the mine opening; provided, however, the opening is not in direct line with possible forces coming out of the mine if an explosion occurs, and provided further that there is another opening having a weak-wall stopping or explosion doors that would be in direct line with the forces coming out of the mine if an explosion occurs, such opening to be not less than 15 feet nor more than 100 feet from the fan opening.

(B) Main mine fans shall be installed to permit the reversal of air flow and unless the fan is attended constantly,

shall be provided with an automatic device to give alarm when the fan slows down or stops. This device shall be placed so it will be seen or heard by a responsible person.

(C) At gassy mines, main fans shall be on separate power circuits, independent of any mine circuit.

(D) The area surrounding main fan installations shall be kept free of combustible material for at least 100 feet in all directions, where physical conditions permit.

(E) The fan shall be inspected daily and a record kept of the inspection, which shall be open for inspection by interested persons.

(F) When the main fan fails or stops at a gassy mine, immediate action shall be taken to cut off the power and withdraw the men from the face regions of the mine. If ventilation is restored in a reasonable time, the face regions and other places where methane is likely to accumulate shall be reexamined by properly certified supervisors, and if found to be free from explosive gas, power may be restored and work resumed. If ventilation is not restored in a reasonable time, all underground employees shall be removed from the mine. Where a mine is ventilated by multiple fans, and the split system of ventilation is employed, the foregoing shall apply only to the area that is affected by such failure.

(G) When the main fan of a nongassy mine fails or stops and cannot be started within a reasonable time, the men shall be withdrawn from the face regions. If ventilation is not restored within a reasonable time, all persons shall be removed from the mine, and the mine shall be examined by properly certified persons before the men are permitted again underground.

(H) Main fans shall be operated continuously except when the mine is shut down with all men out of the mine.

In such event, after the fan has been started, the mine shall be examined for gas and other hazards and made safe before men, other than the examiners, and those necessary to correct the condition are permitted in the mine.

(I) Where electric power is available, main mine fans shall not be powered by means of internal-combustion engines. Where electricity is not available, internal-combustion engines may be so used. Internal-combustion engines may also be used for "stand-by" power to drive fans. Where internal-combustion engines are used, as provided, they shall not be set in the current of air caused by the fan operation, and the exhaust discharge shall be located so as to preclude the possibility of exhaust gases entering the mine. Such engines shall be in a fireproof structure.

(J) Main fans at gassy mines shall be provided with pressure-recording gauges.

BOOSTER FANS AND AUXILIARY FANS WITH TUBING

SEC. 50. (A) Booster fans shall not be installed in any mine after the effective date of this act. Such fans in use on the effective date of this act may be continued in use upon the written approval and under the conditions prescribed by the Director.

(B) Auxiliary blower fans with tubing may be used to ventilate shaft and slope-sinking operations and their underground connections, the faces of rock tunnels being driven between two coal beds or through faults and wants, if they are powered with permissible driving units, operated continuously, inspected at least twice during each shift, and so placed that recirculation of air is not possible.

(C) Except as provided for in section 50(B), auxiliary blower fans and auxiliary exhaust fans shall not be used after the effective date of this act, except where there is a definite need for them and the results attained would be advantageous from a health or safety standpoint. The installation and use of such fans in each mine shall be in accordance with conditions prescribed by the Director.

VOLUME OF AIR

SEC. 51. (A) The volume and the velocity of the current of air shall be sufficient to dilute so as to render harmless, and to carry away, flammable or harmful gases.

(B) The quantity of air reaching the last open breakthrough in any pair or set of entries shall not be less than 6,000 cubic feet a minute, except that the quantity of air reaching the last open breakthrough in any pair or set of entries in pillar sections may be less than 6,000 cubic feet a minute if not less than 6,000 cubic feet of air a minute is being delivered to the intake end of the pillar line.

(C) At least once each week, a properly certified person shall measure the volume of air entering the main intakes and leaving the main returns, the volume passing through the last open breakthrough in each active entry, the volume being delivered to the intake end of each pillar line, and the volume at the intake and return of each split. A record of such measurements shall be kept in a book on the surface, and the record shall be open for inspection by interested persons. The mine foreman shall, immediately after the end of each month, mail to the Director a true copy of such air measurements and shall indicate the number of persons in each split. Blanks for this purpose shall be provided by the Director.

COURSING OF AIR

SEC. 52. (A) The main-intake and main-return air currents in slope mines driven after the effective date of this act shall be in separate openings. The main-intake and main-return air currents in a single shaft sunk after the effective date of this act shall be separated by a curtain wall or partition substantially constructed of fireproof material.

(B) All entries driven in coal after the effective date of this act shall be in sets of two or more.

(C) Permanently installed underground stables, battery-charging stations, transformer stations, and substations, except substations installed prior to the effective date of this act, shall be ventilated by separate splits of air conducted directly to the return air courses. Electrically operated pumps and compressors, portable substations and battery-charging stations shall be in well ventilated places.

(D) Changes in ventilation that materially affect the main air current or any split thereof shall be made when the mine is not in operation and with no men in the mine other than those engaged in changing the ventilation.

(E) The currents of air in mines shall be split so as to give separate currents to not more than seventy-five persons at work, and the Director of mines shall have discretion to order a separate current for a smaller number of men, if special conditions render it necessary.

QUALITY OF AIR

SEC. 53. (A) All active underground working places in a mine shall be ventilated by a current of air containing not less than 19.5 per cent of oxygen, not more than 0.5 per cent of carbon dioxide, and no harmful quantities of other noxious or poisonous gases.

(B) If the air at an underground working face in a mine, when tested at a point not less than twelve inches from the roof, face, or rib, contains more than 1.0 per cent of methane, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas, changes or adjustments shall be made at once in the ventilation in such mine so that such air shall not contain more than 1.0 per cent of methane.

(C) If a split of air returning from active underground working places in a mine contains more than 1.0 per cent of methane, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas, changes or adjustments shall be made at once in the ventilation in such mine so that such returning air shall not contain more than 1.0 per cent of methane.

(D) If a split of air returning from active underground working places in a mine contains 1.5 per cent of methane, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas, the employees shall be withdrawn from the portion of the mine endangered thereby, and all power shall be cut off from such portion of the mine until the quantity of methane in such split shall be less than 1.5 per cent.

BREAKTHROUGHS AND STOPPINGS

SEC. 54. (A) Breakthroughs shall be made in each room and entry at least every sixty (60) feet (which dimension shall be the lineal distance along the rib of the block of coal between breakthroughs). When undercut or sheared, or

undercut and sheared, the entry and breakthrough, or the room and breakthrough may be advanced concurrently.

(B) Breakthroughs between intake and return air courses shall be closed, except the one nearest the face; breakthroughs between rooms shall be closed where necessary to provide adequate ventilation at the working face.

(C) Where possible, a breakthrough shall be provided at or near the face of each entry or room before the place is abandoned.

(D) Entries or rooms shall not be started off an entry beyond the last open breakthrough; provided, however, that room necks and entries not to exceed 18 feet in depth may be turned off an entry beyond the last open breakthrough if such room necks or entries are kept free of accumulations of methane by use of line brattice or other adequate means.

(E) On entries other than room entries, stopping in breakthroughs between intake and return airways shall be built of solid, substantial, incombustible material.

(F) Stopping shall be reasonably airtight.

DOORS, OVERCASTS, AND UNDERCASTS

SEC. 55. (A) The ventilation shall be so arranged by means of air locks, overcasts, or undercasts that the passage of trips or persons along the entries will not cause interruptions of the air current; provided, however, that when air locks are impracticable, single doors may be used. Where single doors are used, they shall be attended constantly while the section of the mine controlled by such doors is in operation, unless they are operated mechanically, except that doors in or between panel or room entries need not be attended if all persons who pass through such doors are instructed to

close them promptly. Air locks shall be ventilated enough to prevent accumulations of methane therein.

(B) Doors shall be kept closed except when men or equipment are passing through the doorways. Motor crews and other persons who open doors shall see that the doors are closed before leaving them.

(C) Overcasts and undercasts shall be constructed tightly of incombustible material; they shall be of ample area to pass the required quantity of air and shall be kept clear of obstructions.

LINE BRATTICE

SEC. 56. (A) Substantially constructed line brattice shall be used from the last open breakthrough of an entry or room when necessary to provide adequate ventilation for the workmen and to remove explosive gases and fumes. When damaged by falls or otherwise they shall be repaired promptly.

(B) The space between the line brattice and the rib shall be large enough to permit the flow of a sufficient volume of air to keep the working face clear of flammable and noxious gases.

(C) Brattice cloth used underground shall be of flame-resistant material.

ABANDONED WORKINGS

SEC. 57. (A) Abandoned workings shall be posted to warn unauthorized persons against entering the territory.

(B) In a gassy mine, air which has passed by an opening of any unsealed, abandoned area shall not be used to ventilate any active face area in such mine if such air con-

tains 0.25 per cent or more of methane. For the purposes of this subsection, an area within a panel shall not be deemed to be abandoned until such panel is abandoned.

(C) In a gassy mine, air that has passed through an abandoned panel which is inaccessible for inspection, or air that has passed through a similar abandoned area which is inaccessible for inspection, or air which has been used to ventilate a pillar line, or air which has been used to ventilate an area from which the pillars have been removed, shall not be used to ventilate any active face area in such mine.

(D) In a gassy mine, all workings which are abandoned after the effective date of this act or the date such mine became a gassy mine, whichever is later, shall be sealed or ventilated to the extent that explosive gases will be dispersed into a direct return. If such workings are sealed, the sealing shall be done in a substantial manner, as prescribed by the Director. One or more of the seals of every sealed area shall be fitted with a pipe and cap or valve to permit the sampling of gases and the measuring of hydrostatic pressure behind such seals. For the purpose of this subsection, workings within a panel shall not be deemed to be abandoned until such panel is abandoned.

CLASSIFICATION OF MINES AND EXAMINATIONS FOR GAS AND OTHER DANGEROUS CONDITIONS

SEC. 58. (A) A mine shall be classed gassy under this act if explosive gas has been ignited before or after the effective date of this act; is found, after the effective date of this act, by means of a permissible flame safety lamp or by air analysis in an amount of 0.25 per cent or more in any open workings when tested at a point not less than twelve gassy by the State before the effective date of this act.
inches from the roof, face, or rib; or which has been classed

(B) Not less than two permissible flame safety lamps in proper working condition shall be kept available at each mine for the use of authorized persons.

(C) Officials whose regular duties require them to inspect working places in a nongassy mine for dangers shall have in their possession, and shall use, when underground, a suitable permissible device capable of detecting methane and oxygen deficiency.

(D) In a gassy mine, within 4 hours immediately preceding the beginning of a coal-producing shift, and before any workmen in such shift other than those who may be designated to make the examinations prescribed in this subsection enter the mine, properly certified foremen or fire bosses designated by the operator shall make an examination, as prescribed in this subsection, of such mine. Such person so designated shall examine a definite underground area of such mine, and, in making his examination, such examiner shall inspect every active working place in such area and make tests therein with a permissible flame safety lamp for accumulations of methane and oxygen deficiency in the air therein; examine seals and doors to determine whether they are functioning properly; inspect and test the roof, face, and rib conditions in the working places and on active roadways and travelways; inspect active roadways, travelways, approaches to abandoned workings and accessible falls in active sections for explosive gas and other hazards; and inspect to determine whether the air in each split is traveling in its proper course and in normal volume. Such examiner shall place his initials and the date at or near the face of each place he examines. If such examiner, in making his examination, finds a condition which he considers to be dangerous to persons who may enter or be in such area, he shall

indicate such dangerous place by posting a "danger" sign conspicuously at a point which persons entering such dangerous place would be required to pass. No person, other than Federal or State mine inspectors or persons authorized by the mine operator to enter such place for the purpose of eliminating the dangerous condition therein, shall enter such place while such sign is so posted. Upon completing his examination such examiner shall travel to the surface of the mine where he shall report the result of his examination to a person designated by the mine operator to receive such reports at a designated station on the surface before other persons enter the mine to work in such coal-producing shift. Each such examiner shall also record the results of his examination with ink or indelible pencil in a book kept for such purpose at a place on the surface of the mine designated by the mine operator. No person other than a certified person shall enter any underground area of a gassy mine on an idle day unless an examination of such area has been made by a certified person within four (4) hours preceding the beginning of the work shift.

(E) In nongassy mines, an examination as prescribed in subsection (D) shall be made at least once in each calendar day when any men enter the mine. Such examination shall be made within 4 hours immediately preceding the entrance of the men on the first shift.

(F) The underground working places in all mines shall be examined for hazards by properly certified persons designated by the mine operator to do so, at least once during each coal-producing shift, or oftener if necessary for safety. In a gassy mine, such examinations shall include tests with a permissible flame safety lamp for methane and oxygen deficiency. In all underground face workings in a gassy

mine where electrically driven equipment is operated, examinations for methane shall be made with a permissible flame safety lamp by the operator of such equipment before such equipment is taken into or operated in face regions, and frequent examinations for methane shall be made during such operations.

(G) In a gassy mine, immediately before a roof fall is made in pillar workings, such workings shall be examined to ascertain whether methane is present. If in such examination methane is found in amounts that can be detected with a permissible flame safety lamp, a roof fall shall not be made until such gas is removed.

(H) Idle and abandoned sections shall be inspected for gas and other dangerous conditions by a properly certified foreman or fire boss immediately before other employees are permitted to enter or work in such places. A properly certified foreman or fire boss shall personally supervise the correction of exceptionally dangerous conditions.

(I) Examinations for dangerous conditions, including tests for methane with a permissible flame safety lamp, a permissible methane detector, or by chemical analysis shall be made at least once each week by the mine foreman or other properly certified person designated by him; provided, however, that such weekly examination need not be made during any week in which the mine is idle for the entire week. Such examinations and tests shall be made in the return of each split where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each in take and return airway in its entirety, idle workings, and, insofar as conditions permit, abandoned workings. The person making such examinations and tests shall mark his initials and the date at the places examined,

and if dangerous conditions are found, they shall be reported promptly. A record of these examinations and tests shall be kept at the mine.

(J) Where there are falls of the roof near the places of abandoned workings or in the vicinity of abandoned mines or where what is known as a "squeeze" exists in any section of the mine, certified officials shall make continuous inspections to obtain advance knowledge of the presence, existence, or approach of dangerous gases or other dangerous conditions, in ample time to furnish warning to all men endangered by such condition. When any such conditions are found to exist, all men in such dangerous section or sections shall be withdrawn from the mine until such dangerous conditions no longer exist.

(K) The mine foreman shall read and countersign promptly the daily reports of the fire bosses and assistant mine foremen, and he shall read and countersign promptly the weekly report covering the examinations for dangerous conditions. Where such reports disclose dangerous conditions, the mine foreman shall take prompt action to have such conditions corrected. The mine superintendent or assistant mine superintendent where such official is in charge at the mine, shall also read and countersign the daily and weekly reports of the mine officials.

(L) Each day, the mine foreman and each assistant shall enter plainly and sign with ink or indelible pencil in a book provided for that purpose a report of the conditions of the mine or portion thereof under his supervision, which report shall state clearly the location and nature of any danger observed by them or reported to them during the day, and the report shall state what action, if any, was taken to remedy such danger.

(M) All records of daily and weekly reports, as prescribed herein, shall be open for inspection by interested persons.

COAL AND ROCK DUST

CONTROL OF COAL DUST

SEC. 59. (A) Coal dust, loose coal, and other combustible materials shall not be permitted to accumulate in active underground workings of a mine.

(B) Where underground mining operations raise an excessive amount of dust into the air, water, or water with a wetting agent added to it, or other effective method shall be used to allay such dust at its source.

ROCK DUSTING

SEC. 60. (A) All underground mines, except those mines or areas of mines in which the dust is too wet or too high in incombustible content to propagate an explosion, shall be rock dusted to within 40 feet of all faces, and, if open breakthroughs near such faces are less than 40 feet therefrom, such breakthroughs shall be rock dusted.

(B) In mines partially rock dusted or in mines that are required to start rock dustings, a haulageways and parallel entries connected thereto by open breakthroughs shall be rock dusted. Back entries shall be rock dusted for at least 1000 feet outby the junction with the first active entry. Inby this junction, the rooms, entries, and breakthroughs shall be rock dusted.

(C) Where rock dust is applied, it shall be distributed upon the top, floor, and sides of all open places and maintained in such quantity that the incombustible content of the combined coal dust, rock dust, and other dust will not

be less than 65 per cent. Where methane is present in any ventilating current, the 65 per cent of incombustible content of such combined dust shall be increased 1 per cent for each 0.1 per cent of methane.

(D) Samples of dust shall be gathered every month from the road, roof, rib, and timbers on each split of air, and tested to determine if any part of the mine requires redusting. The method of analyzing or testing approved by the Director shall be employed.

(E) A written record shall be entered in a book kept for that purpose in the mine office, showing the location at which samples have been taken, and the results of the analysis. A map of the mine shall be kept available for inspection by interested persons to show the extent of rock dusting.

TRANSPORTATION

HOISTING

SEC. 61. (A) Where men are transported into or out of a mine by hoists, a properly certified hoisting engineer shall be on duty continuously while any person is underground, except as provided in subsection "B" of this section.

(B) Every hoist used to transport persons at a mine, other than hoists used in excavating shafts or slopes, shall be equipped with overspeed, overwind, and automatic stop controls unless a second engineer is on duty. Every hoist used to transport such persons shall be equipped with brakes capable of stopping the platform, cage, or other device for transporting persons when fully loaded; and with hoisting cable adequately strong to sustain the fully loaded platform, cage, or other device for transporting persons, and have a proper margin of safety. Cages or platforms

which are used to transport persons in vertical shafts, except cages or platforms which are also used to transport coal shall be equipped with safety catches that act quickly and effectively in an emergency, and the safety catches shall be tested at least once every 2 months. Every hoist that is used to transport persons at a mine shall be inspected daily. No engineer shall be required for automatically operated cages or platforms.

(C) The hoisting engineer shall operate the empty cages up and down the shaft at least one round trip at the beginning of each shift and after the hoist had been idle for 1 hour or more before hoisting or lowering men.

(D) An accurate and reliable indicator, showing the position of the cage or trip, shall be placed so as to be in clear view of the engineer, unless the position of the cage or trip is clearly visible to the engineer at all times.

(E) The rope shall have at least three full turns on the drum when extended to its maximum working length and shall make at least one full turn on the drum shaft or around the spoke of the drum, in case of a free drum, and be fastened securely by means of clamps.

(F) The hoisting rope shall be fastened to its load by a spelter-filled socket or by a thimble and adequate number of clamps properly spaced and installed.

(G) Any rope attached to a cage, man-car, or trip used for hoisting or lowering men shall be provided with two bridle chains or cables connected securely to the rope at least 3 feet above the socket or thimble and to the crospiece of the cage or to the man-car or trip.

(H) Hoisting equipment, including the headgear, cages, ropes, connections, links and chains, shaft guides, shaft

walls, and other facilities shall be inspected daily by a competent person designated by the management. Such inspector shall report immediatley to his superior any defects found, and any such defects shall be corrected promptly. The person making such examination shall make a daily permanent record of each inspection, which shall be open for inspection by interested persons.

(I) The engineer in charge of the hoisting engine shall allow no person to interfere with it or any part of the machinery, and no person shall interfere, or in any way intimidate the engineer in the discharge of his duties. Loitering in the engine room shall be prohibited, and the hoisting engineer shall hold no conversation with any officer of the company or other person while the engine is in motion, or while his attention should be occupied with the business of hoisting. A notice to this effect shall be posted on the engine house in some conspicuous place. The engineer shall thoroughly inform himself of the established code of signals. Signals must be delivered in the engine room in a clear and unmistakable manner.

(J) There shall be a code of signals at each underground mine. One bell shall signify to hoist coal, or empty cage, and also to stop either when in motion; 2 bells shall signify that men are coming up; when return signal is received from the engineer, men will get on the cage and ring 1 bell to hoist; 4 bells shall signify to hoist slowly, implying danger. The engineer's signal for men to get on the cage shall be 3 bells. A copy of the above code of signals shall be printed and conspicuously posted at the top and bottom of each shaft, in the engine room, and at each landing.

CAGES, SHAFTS, AND SLOPES

SEC. 62. (A) Cages used for hoisting men shall be of substantial construction; with adequate steel bonnets; with enclosed sides; with gates, safety chains, or bars across the ends of the cage when men are being hoisted or lowered; and with sufficient handholds or chains for all men on the cage to maintain their balance. A locking device to prevent tilting of the cage shall be used on all self-dumping cages when men are transported thereon.

(B) The floor of the cage shall be constructed so that it will be adequate to carry the load and so that it will be impossible for a workman's foot or body to enter any opening in the bottom of the cage.

(C) The speed of the cage, car, or trip in shafts or slopes shall not exceed 600 feet a minute when men are being hoisted or lowered.

(D) Two independent means of signaling shall be provided between the top, bottom, and all intermediate landings of shafts and slopes and the hoisting station. At least one of these means of signaling shall be audible to the hoisting engineer.

(E) Workmen shall wear safety belts while doing work in or over shafts. When men are working in the shaft, a qualified attendant shall be on duty at the cage station designated by the supervisor in charge.

(F) An attendant shall be on duty at the surface and all other cage stations when men are being hoisted or lowered at the beginning and end of each operating shift. Persons entering or leaving the mine at other times shall be properly instructed in the use of the signal system at

the mine. Where automatic elevators are used, and the elevator is in charge of a competent person, no other attendant shall be required at the elevator station.

(G) All open entrances to shafts shall be equipped with safety gates at the top and at each landing except at bottom landings. Such gates shall be self-closing and shall be kept closed except when the cage is at such landing. Gates shall not be required at the dumping point of self-dumping cages or skips.

(H) Positive stopblocks or derails shall be placed near the top and at intermediate landings of slopes and at the approaches to all shaft landings.

(I) At the bottom of each hoisting shaft and at intermediate landings, a "run-around" shall be provided for safe passage from one side of the shaft to the other. This passageway shall be not less than 5 feet in height and 3 feet in width.

(J) Ice shall not be permitted to accumulate excessively in any shaft where men are hoisted or lowered.

(K) No person shall ride on a loaded cage.

(L) No person shall approach nearer than 6 feet to any cage landing when such cage is not at rest at such landing; or crowd onto said cage in a rude or boisterous manner; or enter upon any such cage when there are already upon the same, one person for each 3 square feet of floor space of such cage; provided, however, that nothing herein contained shall affect any person in charge of the operation of such cage, or the machinery moving or affecting same.

HAULAGE ROADS

SEC. 63. (A) The roadbed, rails, joints, switches, frogs, and other elements of the track of all haulage roads shall be constructed, installed, and maintained in a manner consistent with speed and type of haulage operations being conducted to insure safe operation.

(B) All track switches, except room and entry development switches, shall be provided with properly installed throws, and, where necessary, equipped with guardrails. Room and entry development switches shall be provided and properly installed latches and bridle bars.

(C) Track switches shall be equipped with properly installed guardrails wherever necessary.

(D) At least 24 inches of clearance shall be provided at switch throws for a distance of not less than 10 feet on each side of such throws.

(E) Rails shall be secured at all joints by means of plates or weld.

(F) Shuttle-car haulage roads shall be maintained as free as practicable from bottom irregularities, debris, and wet or muddy conditions.

CLEARANCE AND SHELTER HOLES

SEC. 64. (A) Track-haulage roads in entries, rooms and breakthroughs developed after the effective date of this act shall have a continuous clearance on one side of at least 24 inches from the farthest projection of moving traffic; provided, however, that this does not prohibit the changing of the clearance side, should it become necessary, if adequate clearance is provided on both sides for a distance of not less than 100 feet and warning signs are provided at such locations.

(B) Track-haulage roads in entries, rooms, and breakthroughs developed after the effective date of this act shall have a continuous clearance on the "tight" side of at least 6 inches from the farthest projection of moving traffic.

(C) On haulage roads where trolley lines are used, the clearance for traveling shall be on the side opposite the trolley lines, except where such lines are guarded or are 6½ feet or more above the rail.

(D) The clearance space on all track-haulage roads shall be kept free of loose rock, supplies, and other loose materials.

(E) Ample clearance shall be provided at conveyor-loading heads, at conveyor-control panels, and along conveyor lines.

(F) Where it is necessary for men to cross conveyors regularly, suitable crossing facilities shall be provided.

(G) Shelter holes shall be provided at intervals of not more than 80 feet along all haulage entries driven after the effective date of this act, except conveyor entries.

(H) Shelter holes made after the effective date of this act, shall be at least 5 feet in depth, not more than 4 feet in width, and 6 feet in height, or as high as the traveling space if the traveling space is less than 6 feet high. Room necks and breakthroughs may be used as shelter holes even though their width exceeds 4 feet.

(I) Shelter holes shall be kept clear of refuse and other obstructions.

(J) Shelter holes shall be provided at manually operated doors and at switch throws, except where more than 6 feet of side clearance is maintained and at room switches.

(K) At each underground slope landing where men pass and cars are handled, a shelter hole at least 10 feet in depth, 4 feet in width, and 6 feet in height shall be provided.

(L) Upon the approach of moving traffic, persons not engaged in haulage operations shall take refuge in shelter holes or other places of safety.

HAULAGE EQUIPMENT

SEC. 65. (A) Locomotives, mine cars, shuttle-cars, supply cars, conveyors, and all other haulage equipment shall be maintained in a safe operating condition.

(B) Wherever practicable, track-mounted self-propelled mobile equipment and shuttle cars for use underground and ordered after the effective date of this act shall be equipped with safe seating or standing facilities for the use of the operater while tramming.

SAFETY DEVICES AND PRACTICES

SEC. 66. (A) Locomotives shall be equipped with proper rerailing devices for the rerailing of locomotives and cars.

(B) An audible warning device and headlight shall be provided on each locomotive and shuttle-car.

(C) A permissible trip light shall be used on the rear of trips pulled and on the front of pushed trips and trips lowered in slopes; provided, however, that trip lights need not be used on cars being shifted to and from loading machines, on cars being handled at loading heads, or during gathering operations at working faces.

(D) Pushing of cars on main haulage roads shall be prohibited, except where necessary to push cars from side-

tracks located near the working section to the producing entries and rooms, where necessary to clear switches and side-tracks, and on the approach to cages and slopes.

(E) Back-poling shall be prohibited except at places where the trolley pole cannot be reversed or when going up extremely steep grades and then only at very slow speed.

(F) No person, other than the motorman and brakeman, shall ride on a locomotive unless authorized by the Mine Foreman and then only when safe riding facilities are provided. No person shall ride on any loaded car or on the bumper of any car; provided, however, that the brakeman may ride on the rear bumper of the last car of a trip pulled by locomotive, and the trip rider of a rope trip shall ride in the safest possible position on the trip.

(G) No person shall get on or off moving locomotives or cars being moved by locomotives; provided, however, that the brakeman may get on or off the rear end of a slowly moving trip.

(H) Operators of shuttle cars shall face in the direction of travel except during the loading operation.

(I) All trips and locomotives shall come to a complete stop before cars are coupled or uncoupled by hand.

(J) Standing cars on any track, unless held effectively by brakes, shall be properly blocked or spragged. Cars shall be secured effectively at working faces.

(K) Positive-acting stopblocks or derails shall be used where necessary to protect persons from danger of moving or run-away haulage equipment.

(L) Slides, skids, or other adequate means shall be used on descending trips on grades where the locomotive a drag shall be used on ascending trips.
is not adequate to control the trip, and where practicable,

(M) Material being transported shall be so loaded and protected that there is no danger to the motorman or brakeman from sliding of equipment and material.

(N) Where safe seating facilities are provided on self-propelled mobile equipment, the operator shall be seated while such equipment is being trammed.

(O) Operators of locomotives and shuttle cars shall sound a warning before starting such equipment and on approaching curves, sidetracks, doors, curtains, manway crossings, or any place where persons are or likely to be.

(P) Locomotives following other trips shall maintain a distance of 300 feet from the rear end of the preceding trip or locomotive unless such locomotives are coupled to the trips.

(Q) Where block signals are used, not more than one locomotive, except pushers, shall operate in any signal block at the same time unless by special authority.

(R) Where a dispatcher is employed to control trips, traffic under his jurisdiction shall be moved only at his direction.

(S) Except in emergencies, timbers and other materials not necessary for, or not incident to, the operation of locomotives, cutting machines, loading machines, and coal-drilling machines shall not be transported on such equipment.

TRANSPORTATION OF MEN

SEC. 67. (A) Man-trips operated by means of locomotives shall be pulled and at safe speeds consistent with the condition of roads and type of equipment used, and shall be so controlled that they can be stopped within the limits of visibility.

(B) Each man-trip shall be under the charge of a certified official or other competent person designated by a certified official, and it shall be operated independently of any loaded trip of coal or other material.

(C) Man-trip cars shall be maintained in safe operating condition, and enough of them shall be provided to prevent their being overloaded.

(D) Man-trip passengers shall not ride under unguarded trolley wire unless suitable covered man-cars are used.

(E) Supplies or tools shall not be transported in the same car or cage with men on any man-trip, except in special compartments in such cars, and all persons shall ride inside the cars except the motorman and brakeman.

(F) Men shall not board or leave moving man-trip cars; they shall remain seated while in moving cars, and shall proceed in an orderly manner to and from man-trips.

(G) A waiting station with sufficient room, ample clearance from moving equipment, and adequate seating facilities shall be provided where men are required to wait for man-trips or man cages, and the men shall remain in such station until the man-trip or man cage is ready to load. Men shall be permitted to unload from man-trips only at man-trip stations, except that persons assigned to special duties along haulageways may unload at any point if clearance from moving equipment is provided.

(H) Trolley and power wires shall be guarded effectively at man-trip stations where there is a possibility of any person coming in contact with energized electric wiring while boarding or leaving the man-trip. Deenergizing switches, used in conjunction with signal lights to indicate where such wires have been deenergized, may be used in lieu of guards at man-trip stations.

(I) When belts are used for transporting men, the area of such belts upon which men are riding shall be free of loose coal or rock, and a minimum clearance of 18 inches shall be maintained between the belt and the roof or cross bars, projecting equipment, cap pieces, overhead cables, wiring, and other objects; but where the height of the coal bed permits, the clearance shall be not less than 24 inches. Control switches shall be provided at all places where men board or leave belts regularly.

(J) The belt speed shall not exceed 250 feet a minute while men are loading, unloading, and being transported.

(K) The space between men riding on a belt line shall be not less than 5 feet.

(L) Adequate clearance and proper illumination shall be provided where men board or leave conveyor belts.

(M) An official or other responsible person designated by him shall be in attendance while men are boarding or leaving belts.

ELECTRICITY

SURFACE TRANSMISSION LINES

SEC. 68. (A) Overhead high-potential power lines shall be placed at least 15 feet above the ground and 20 feet above driveways and haulageways, shall be installed on insulators, and shall be supported and guarded to prevent contact with other circuits.

(B) Surface transmission lines including trolley circuits shall be protected against short circuits and lighting. Each exposed power circuit that leads underground shall the point where the circuit enters the mine.
be equipped with lightning arresters of approved type at

(C) Electric wiring in surface buildings shall be installed so as to minimize fire and contact hazards.

TRANSFORMER STATIONS

SEC. 69. (A) Unless surface transformers are isolated by elevation (8 feet or more above the ground), they shall be enclosed in a transformer house or surrounded by a suitable fence at least 6 feet high. If the enclosure or fence is of metal, it shall be grounded effectively. The gate or door to the enclosure shall be kept locked at all times, unless authorized persons are present.

(B) Surface transformers containing flammable oil and installed where they present a fire hazard shall be provided with means to drain or to confine the oil in event of rupture of the transformer casing.

(C) All transformers ordered after the effective date of this act, for use underground, shall be air cooled or filled with noninflammable liquid or inert gas.

(D) Suitable danger signs shall be posted conspicuously at all transformer stations on the surface and underground.

(E) All transformer stations on the surface and underground shall be kept free of nonessential combustible materials and refuse.

SUBSTATIONS, BATTERY-CHARGING STATIONS, ELECTRICALLY OPERATED PUMPS AND COMPRESSORS

SEC. 70. (A) All surface and underground substations, battery-charging stations, pump stations, and compressor stations shall be kept free of nonessential combustible materials and refuse.

(B) All housings enclosing oil switchgear shall be ventilated effectively.

(C) Reverse-current protection shall be provided at storage-battery charging stations to prevent the storage batteries from energizing the power circuits in the event of power failure.

POWER CIRCUITS

SEC. 71. (A) All underground power wires and cables shall have adequate current-carrying capacity, shall be protected from mechanical injury, and with the exception of trailing cables and power cables connected to junction boxes, shall be installed in a permanent manner.

(B) Wires and cables not incased in armor shall be supported by well installed insulators and shall not touch combustible materials, roof, or ribs; provided, however, that this does not apply to ground wires, grounded power conductors, and trailing cables.

(C) Power wires and cables installed in rope-and-belt haulage slopes shall be insulated adequately and fully protected against mechanical injury.

(D) Splices in power cables shall be made in accordance with the following:

(1) Mechanically strong with adequate electrical conductivity.

(2) Effectively insulated and sealed so as to exclude moisture.

(3) If the cable has metallic armour, mechanical protection and electrical conductivity equivalent to that of the original armor shall be provided.

(E) All underground high potential transmission cables shall be:

(1) Installed only in regularly inspected airways or haulageways.

(2) Covered, buried, or placed so as to afford reasonable protection against damage by wrecked trips, trolley equipment, roof falls, and blasts.

(3) Guarded where men regularly work or pass under them unless they are 6½ feet or more above the floor or rail.

(4) Securely anchored, properly insulated, and guarded at ends.

(5) Covered, insulated, or placed to prevent contact with trolley and other low-voltage circuits.

(F) All power wires and cables shall be insulated adequately where they pass into or out of electrical compartments, where they pass through doors and stoppings, and where they cross other power wires and cables.

(G) Where track is used as a power conductor:

(1) Both rails of main-line tracks shall be welded or bonded at every joint, and cross bonds shall be installed at intervals of not more than 200 feet. If the rails are parallel with a feeder circuit of like polarity, such parallel feeder shall be bonded to the track rails at intervals of not more than 1,000 feet.

(2) At least one rail on secondary track-haulage roads shall be welded or bonded at every joint, and cross bonds shall be installed at intervals of not more than 200 feet; provided, however, that rail joints in such secondary haulage roads need not be bonded where a copper feeder ade-

quate in size parallels the track and is electrically connected thereto at intervals of not more than 200 feet by crossbonds.

(3) Track switches on entries shall be well bonded.

(4) In rooms where electric equipment is dependent upon the room track rails as a power conductor, rail joints shall be secured by means of fish plates, angle bars, or the equivalent, and at least one rail shall be bonded at each joint.

(H) All power circuits and electric equipment shall be deenergized before work is done on them; provided, however, that employees may, where necessary, repair energized trolley wires if they wear insulated shoes and lineman's gloves.

(I) Trolley wires and trolley feeder wires shall be installed on the side of the entry opposite the clearance space and shelter holes, except where the wires are guarded or are 6½ feet or more above the top of the rail.

(J) Trolley-wire hangers shall be so spaced that the wire may become detached from any one hanger without creating a shock hazard.

(K) Trolley wires shall be alined properly and installed on insulated hangers at least 6 inches outside the rail.

(L) Trolley wires and trolley feeder wires installed after the effective date of this act shall be provided with cut-out switches at intervals of not more than 2,000 feet and near the beginning of all branch lines.

(M) Trolley wires and trolley feeder wires shall be kept taut and not permitted to touch the roof, ribs, timbers, or any combustible material.

(N) Trolley wires, and trolley feeder wires unless insulated, shall be guarded adequately at both sides of doors and at all places where it is necessary to work or pass under them unless they are more than 6½ feet above the top of the rail.

(O) In a gassy mine, trolley wires and trolley feeder wires shall not extend beyond the last open crosscut and shall be kept at least 150 feet from pillar workings.

(P) Trolley wires and trolley feeder wires shall be guarded, anchored securely, and insulated properly at the ends.

(Q) In any new mine, or in any old mine that may be re-opened or re-equipped after the effective date of this act, trolley wires or other exposed conductors shall not carry more than 650 volts.

GROUNDING

SEC. 72. (A) All metallic sheaths, armors, and conduits enclosing power conductors shall be electrically continuous throughout and shall be grounded effectively.

(B) Metallic frames, casings, and other enclosures of electric equipment that can become "alive" through failure of insulation or by contact with energized parts shall be grounded effectively or equivalent protection shall be provided.

CIRCUIT BREAKERS, SWITCHES, AND SWITCHBOARDS

SEC. 73. (A) Automatic circuit-breaking devices or fuses of the correct type and capacity shall be installed so as to protect all electric equipment and power circuits against excessive overload. Wires or other conducting mate-

rials shall not be used as a substitute for properly designed fuses, and circuit-breaking devices shall be maintained in good operating condition.

(B) Operating controls, such as switches, starters, and switch buttons, shall be so installed that they are readily accessible and can be operated without danger of contact with moving or live parts. On stationary equipment provision shall be made for locking starting equipment in the "off" position to prevent accidental application of power.

(C) Disconnecting switches shall be installed underground in all main power circuits within 500 feet of the bottoms of shafts and boreholes, and at other places where main power circuits enter the mine.

(D) Electric equipment and circuits shall be provided with switches or other controls of safe design, construction, and installation.

(E) Dry wooden platforms, insulating mats, or other electrically nonconductive material shall be kept in place at each switchboard, power-control switch, and at stationary machinery where shock hazards exist.

(F) Resistors or rheostats shall be installed in such a manner as not to create a fire hazard, and shall be guarded adequately against personal contact.

(G) When not in use, power circuits underground shall be deenergized on idle days and idle shifts.

(H) Electric parts, such as switches, circuit breakers, rheostats, relays, and fuses, shall be installed on switchboards or mounted on incombustible bases of slate or equivalent insulating material.

(I) Switchboards installed after the effective date of this act shall be located so that ample room will be provided between the switchboard and passageways or lanes

of travel and shall have an entrance at each end to permit authorized persons to inspect, adjust, or repair apparatus back of the board. Switchboards shall have the entrance to the rear guarded against entrance of unauthorized persons, unless in a building that is kept locked.

(J) Switchboard shall be well lighted for switch operations in the front and for repair and maintenance in the rear.

(K) Rooms housing switchboard shall not be used for the storage of combustible materials, and shall be kept free of debris and refuse.

(L) Suitable danger signs shall be posted conspicuously at all high-potential switchboard installations.

COMMUNICATION SYSTEMS

SEC. 74. (A) Telephone service or equivalent two-way communication facilities shall be provided between the top and each landing of main shafts and slopes and in all mines between the surface and each working section that is more than 1,500 feet from the main portal.

(B) Telephone lines, other than cables, shall be carried on insulators, installed on the opposite side from power or trolley wires, and where they cross power or trolley wires, they shall be insulated adequately.

(C) Lightning arresters shall be provided at the points where telephone circuits enter the mine. Mine telephone extensions in surface buildings shall be provided with a lightning arrester for each circuit entering the building.

(D) If a communication system other than telephones is used and its operation depends entirely upon power from the mine electric system, means shall be provided to permit continued communication in event the mine electric power

fails or is cut off; provided, however, that where trolley phones and telephones are both used an alternate source of power for trolley phones is not required.

SIGNAL SYSTEMS

SEC. 75. (A) Signal wires shall be supported on insulators and insulated properly where they cross power lines.

(B) Bare signal wires that are readily accessible to personal contact shall not carry more than 30 volts.

ELECTRIC EQUIPMENT

SEC. 76. (A) All electric face equipment used in a gassy mine shall be permissible, except that electric face equipment may be used in a gassy mine even though such equipment is not permissible if, before the effective date of this act or the date such mine became a gassy mine, whichever is later, the operator of such mine owned such equipment, or owned the right to use such equipment, or had ordered such equipment. Permissible electric face equipment in use in a gassy mine shall not be replaced by electric face equipment which is not permissible; provided, however, that permissible and nonpermissible electric face equipment in use in a mine may be interchanged within such mine; and provided, further, that explosion-tested cable-reel locomotives and shuttle cars purchased before permissible cable-reel locomotives and shuttle cars became available, may be used to replace permissible cable-reel locomotives and shuttle cars.

(B) In a gassy mine, permissible junction or distribution boxes shall be used for making multiple-power connections in working places or other places where dangerous quantities of methane may be present or may enter the air current, except that where nonpermissible junction or dis-

tribution boxes are in use, or on order, on the effective date of this act or the date such mine became a gassy mine, whichever is later, their use may be continued until such time as replacements are made.

(C) Electric equipment shall not be taken into or operated in any place where methane can be detected with a flame safety lamp within 12 inches of the room, face, or rib.

(D) In any new mine, or in any old mine that may be reopened or re-equipped after the effective date of this act, electric power for face equipment shall be limited to 650 volts between any conductors and ground.

TRAILING CABLES

SEC. 77. (A) Trailing cables purchased after the effective date of this act for use underground shall meet the United States Bureau of Mines requirements for flame-resistant cables.

(B) Trailing cables shall be provided with suitable short-circuit protection and some means of disconnecting power from the cable.

(C) Temporary splices in trailing cables shall be made in a workmanlike manner, mechanically strong, and well insulated.

(D) Trailing cables or hand cables having exposed wires or splices that heat or spark under load shall not be used.

(E) Permanent splices in trailing cables shall be made as follows:

(1) Mechanically strong with adequate electrical conductivity and flexibility.

(2) Effectively insulated and sealed so as to exclude moisture.

(3) The finished splice shall be vulcanized or otherwise treated with suitable materials to provide flame-resistant properties and good bonding to the outer jacket.

(F) In a gassy mine, explosion-tested cable-reel locomotives shall be equipped with two-conductor trailing cables.

(G) Care shall be used to protect trailing cables from avoidable mechanical damage.

ELECTRICAL INSPECTIONS

SEC. 78. Electric equipment and wiring shall be inspected by a competent person at least once a month and more often if necessary to assure safe operating conditions, and any defect found shall be corrected promptly.

UNDERGROUND ILLUMINATION

SEC. 79. (A) Electric-light wires shall be supported by suitable insulators, or installed in conduit, fastened securely to the power conductors, and not permitted to touch combustible material.

(B) Electric lights shall be installed so that they cannot come in contact with combustible materials.

(C) Only weatherproof lamp sockets having no exposed metal parts shall be used for unenclosed applications.

SAFEGUARDS FOR MECHANICAL EQUIPMENT

FACE EQUIPMENT

SEC. 80. (A) The cutter chains of mining machines shall be locked securely by mechanical means or electrical interlocks while such machines are parked or being trammed.

(B) The dust resulting from drilling in rock shall be controlled by the use of permissible dust collectors or by water or water with a wetting agent; except as provided in Section 91(G).

(C) Electric drills or other electrically operated rotating tools intended to be held in the hands shall have the electric switch constructed so as to break the circuit when the hand releases the switch or shall be equipped with properly adjusted friction or safety clutches.

SHOP OR OTHER EQUIPMENT

SEC. 81. (A) The following shall be guarded adequately:

(1) Gears, sprockets, pulleys, fan blades or propellers, friction devices, couplings with protruding bolts or nuts, and counterweights.

(2) Shafting and projecting shaft ends that are within 7 feet of floor or platform level.

(3) Belt, chain, or rope drives that are within 7 feet of floor or platform.

(4) Fly wheels, power saws, and planers. Where fly wheels extend more than 7 feet above the floor, they shall be guarded to a height of at least 7 feet.

(5) Repair pits. Guards shall be kept in place when the pits are not in use.

(6) Mine Fans. The approach to each side shall be guarded.

(7) Post-mounted drills, purchased after the effective date of this act, shall be equipped with automatic stop control safety switches or shall be equipped with properly adjusted friction or safety clutches.

(B) Machinery shall not be repaired or oiled while in motion; provided, however, that this does not apply where safe remote oiling devices are used.

(C) A guard or safety device removed from any machine shall be replaced before the machine is put in operation.

(D) Mechanically operating grinding wheels shall be equipped with:

(1) Safety washers and tool rests.

(2) Substantial retaining hoods, the hood opening of which shall not expose more than a 90° sector of the wheel.

(3) Eyeshields, unless goggles are worn by the operators.

FIRE PROTECTION AND MINE DISASTERS

FIRE PROTECTION

SEC. 82. (A) Each mine shall be provided with suitable fire-fighting equipment, adequate for the size of the mine.

(B) After every blasting operation, an examination shall be made to determine whether fires have been started.

(C) Should a fire occur, the person discovering it and any persons in the vicinity of the fire shall make a prompt effort to extinguish it.

(D) When a fire that may endanger the men underground cannot be extinguished immediately, the men shall be withdrawn promptly from the mine, except those necessary to fight the fire.

(E) Underground storage places for lubricating oil and grease shall be of fireproof construction.

(F) Lubricating oil and grease kept in face regions or other underground working places in a mine shall be in portable, closed, metal containers.

(G) Underground structures (transformer stations, battery-charging stations, substations, permanent pump rooms, etc.) installed in a mine shall be of fireproof construction.

(H) Welding, cutting, or soldering with arc or flame in underground face regions in other than a fireproof enclosure shall be done under the direct supervision of a properly certified person who shall test for methane before and frequently during such operations in gassy mines and shall make a diligent search for fire after such operations in all mines. Rock dust or suitable fire extinguishers shall be immediately available during such welding, cutting, or soldering.

(I) Hay or straw shall be transported from the surface to underground stables in enclosed, incombustible cars. It shall be stored in a fireproof structure apart from the stable or in a fireproof compartment within the stable.

(J) Provisions shall be made to prevent accumulation of spilled oil or grease at the storage places or at the locations where such materials are used.

(K) Oily rags, oily waste, and waste paper shall be kept in closed metal containers until removed for disposal.

(L) Underground belt conveyors installed after the effective date of this act shall be equipped with control switches to automatically stop the driving motor in the event that the belt is stopped by slipping on the driving pulley, by breakage or other accident.

MINE ACCIDENTS AND DISASTERS

SEC. 83. (A) No mine shall resume operations following a mine explosion or mine fire until such mine has been inspected in its entirety by the Director or mine inspectors and found by him to be in safe condition to operate.

(B) Following a mine accident resulting in the death of one or more persons and following any mine disaster, the evidence surrounding such occurrence shall not be disturbed after recovery of bodies or injured persons until an investigation by the Director of mine inspectors has been completed; Provided, however, that sufficient wreckage or debris may be moved to allow recovery work after disasters or continued general operation of the mine following fatalities not caused by mine explosions or mine fires.

MISCELLANEOUS

MINE MAP

SEC. 84. An accurate map of the mine shall be posted in a place accessible to employees. Such map shall be brought up to date at least every 6 months at mines producing 500 tons a day or more and at least annually at all other mines.

OIL AND GAS WELLS

SEC. 85. The drilling and sealing of oil and gas wells penetrating coal beds or underground workings of mines shall be done in compliance with Indiana Statutes.

APPROACHING ABANDONED WORKINGS

SEC. 86. Whenever any working place in an underground mine approaches within 50 feet of abandoned workings in such mine as shown by surveys made and certified

by a competent engineer or surveyor, or within 200 feet of any other abandoned workings of such mine, which cannot be inspected and which may contain dangerous accumulations of water or gas, or within 200 feet of any workings of an adjacent mine, a borehole or boreholes shall be drilled to a distance of at least 20 feet in advance of the face of such working place. Such boreholes shall be drilled sufficiently close to each other to insure that the advancing face will not accidentally hole through into such workings. Boreholes shall also be drilled not more than 8 feet apart in the rib of such working place to a distance of at least 20 feet and at an angle of 45 degrees. Such rib holes shall be drilled in one or both ribs of such working place as may be necessary for adequate protection of persons working in such place.

MINE OPENINGS AND ESCAPEWAYS

SEC. 87. (A) Every underground mine shall have at least two separate surface openings except as provided for in subsections (E) and (F) of this section.

(B) The distance between shafts at any mine opened after the effective date of this act shall be not less than 150 feet, and the distance between drift or slope openings at such mines shall be not less than 50 feet.

(C) New shafts and partitions therein, made after the effective date of this act, shall be fireproof; provided, however, that buntons and guides may be of wood.

(D) Mine openings shall have adequate protection against surface fires, fumes, smoke, and water from floods entering the mine.

(E) Not more than 20 persons shall be allowed at any one time in any mine until a connection has been made

between the two mine openings, and such work shall be prosecuted with reasonable diligence.

(F) When only one main opening is available, owing to final mining of pillars, not more than 20 persons shall be allowed in such mine at any one time; provided, however, that the distance between the mine openings and workings shall not exceed 500 feet.

(G) There shall be at least two separate and distinct travelable passageways to be designated as escapeways from each working section to the surface of every mine. Such escapeways, one of which may be the haulageway, shall comply with the following provisions:

(1) They shall be kept in safe condition for travel and reasonably free from falls, standing water, and other obstructions to the extent that men can escape quickly in an emergency.

(2) One of such escapeways shall be ventilated with intake air.

(H) Where the designated escapeways are shafts:

(1) They shall be equipped with hoist and cage or with travelable stairway or ladders maintained in good repair and in safe condition. No shaft more than 30 feet deep sunk after the effective date of this act shall be equipped with ladders.

(2) Stairways shall be of substantial construction, set at an angle not greater than 45° with the horizontal, and equipped on the open side with a suitable handrail; landing platforms shall be at least 2 feet wide and 4 feet long and shall be railed properly.

(3) Ladders shall be anchored securely.

(4) Permanently installed ladders that are more than 10 feet in length and that are set on an angle of 60° or more with the horizontal shall be provided with substantial backguards, and all ladders shall be maintained in good repair.

(5) Where ladders or stairways set at an angle greater than 45° are now installed, their use may be continued provided they are of substantial construction, with platforms at intervals of not more than 30 feet, and equipped with suitable handrails in the case of stairways.

(I) If a designated escapeway is a slope of more than 19° and less than 46°, it shall be equipped with a stairway or adequate walkway with cleats. If the slope is more than 45°, stairways shall be installed.

(J) Direction signs shall be posted conspicuously at all points of intersections with other passageways to indicate manways and designated escapeways.

(K) Goodhousekeeping shall be practiced underground.

(L) All unused, abandoned, and isolated surface openings shall be effectively protected against unauthorized entrance.

PORTABLE ILLUMINATION

SEC. 88. (A) In a gassy mine, persons underground shall use only permissible electric lamps for portable illumination.

(B) Light bulbs on extension cables shall be guarded adequately.

CHECKING SYSTEM

SEC. 89. Each mine shall have a check-in and check-out system that will provide positive identification upon the

person of every individual underground. An accurate record of the men in the mine, which shall consist of a written record, or a check board, shall be kept on the surface in a place that will not be affected in the event of an explosion. Said record shall bear a number identical to the identification check carried by the person underground.

ARCS, SPARKS, AND FLAMES

SEC. 90. (A) In a gassy mine, smoking shall not be permitted underground, nor shall any person be permitted to carry smoking materials, matches, or lighters underground.

(B) The intentional creation of any arc, spark, or open flame, except as provided in section 82(H) shall be prohibited in all gassy mines.

PROTECTIVE CLOTHING

SEC. 91. (A) All persons shall wear protective hats while underground and also while on the surface where falling objects may cause injury.

(B) Protective footwear shall be worn by employees, officials, and others while on duty in and around a mine where falling objects may cause injury.

(C) All employees inside or outside of mines shall wear approved-type goggles or shields where there is a hazard from flying particles.

(D) Welders and helpers shall use proper shields or goggles to protect their eyes.

(E) Employees engaged in haulage operations and other and underground shall wear snug-fitting clothing.
persons employed around moving equipment on the surface

(F) Protective gloves shall be worn when material which may injure the hands is handled, but gloves with gauntlet cuffs shall not be worn around moving equipment.

(G) Men exposed for short periods of gas-, dust-, fume-, and mist-inhalation hazards shall wear permissible respiratory equipment. When the exposure is for prolonged periods, other measures to protect workmen or to reduce the hazard shall be taken.

REPORTING OF DANGERS

SEC. 92. Any employee of a mine who discovers an unsafe condition at the mine shall immediately report such unsafe condition to his immediate supervisor.

FIRST AID AND MEDICAL CARE

SEC. 93. (A) Each mine shall have an adequate supply of first-aid equipment, and such supplies shall be located on the surface, at the bottom of shafts and slopes, and at other strategic locations near the working faces. The first-aid supplies shall be encased in suitable sanitary receptacles designed to be reasonably dusttight and moisture-proof and shall be available for use of all persons employed at the mine. In addition to the material in the cases, splints, blankets, and properly constructed stretchers in good conditon shall be provided.

(B) When a disabling injury occurs underground, the injured person shall be brought to the surface without unnecessary delay. Prompt medical attention shall be provided in the event of any injury, and adequate facilities shall be made available for transporting injured persons to a hospital where necessary.

GENERAL

SCALES—WEIGHMAN—COMMISSIONERS OF WEIGHTS AND MEASURES

SEC. 94. (A) The operator of every mine at which the miners are paid by weight shall provide suitable and accurate scales of standard manufacture for the weighing of coal which may be procured from such mines; such operator shall be required to keep United States standard-weights to test said scales.

(B) At every mine where the coal mined is paid for by weight it shall be the duty of the weighman and the check-weighman to examine and balance the sales each morning, and in no case shall any coal be weighed until such scales are tested by the United States standard weights and found to be correct. Said weighman shall accurately weigh, and he shall, together with the check-weighman, record the weight of each miner's car of coal delivered, which record shall be kept open at all reasonable hours for inspection of all miners or other persons pecuniarily interested in the product of such mine; provided, that if the weighman and check-weighman shall disagree, work may continue until the state commissioner of weights and measures or his deputy can be present; any erroneous weights made during such time shall be rectified. When differences shall arise between the weighman and check-weighman, or operator, of any mine as to the correctness of the scales, the same shall be referred to the state commissioner of weights and measures or his deputy, whose duty it shall be to see and regulate the same at once.

(C) The State commissioner of weights and measures or his deputy and miners employed in the mine, the owner of the land and others personally interested in the royalty

or rental of such mine, shall at all proper times have full right of access to make examination of scales or apparatus used for weighing in or about said mine, including the records in which the weights of coal are kept, to determine the amount of coal mined, for the purpose of attesting the accuracy thereof.

CHECK-WEIGHMAN

SEC. 95. Whenever the mining of coal is paid for by weight, the miners employed in mining the same shall have the right of selecting and keeping in the weigh office, or at the place of weighing the coal, a check-weighman, who shall be vested with the same rights as described in section 94(B) of this act, said check-weighman to be paid by said miners.

WASH HOUSE

SEC. 96. (A) For the protection of the health of employees hereinafter mentioned, it shall be the duty of the operator, lessee, superintendent of, or other person in charge of every coal mine or colliery, or other place where laborers employed are surrounded by or affected by similar conditions as employees in coal mines, at the request in writing of twenty or more employees of such mine or place, or in event there are less than twenty men employed, then upon the written request of one-third of the number of employees employed, to provide a suitable wash room or wash house for the use of persons employed, so that they may change their clothing before beginning work, and wash themselves and change their clothing after working.

(B) That said building or room shall be of separate building or room from the engine or boiler room, and shall be maintained in good order, be properly lighted and

heated, and be supplied with clean cold and warm water, and should be provided with all necessary facilities for persons to wash, and also provided with suitable lockers for the safe keeping of clothing; provided, however, that the owner, operator, lessee, superintendent of, or other person in charge of such mine or place as aforesaid, shall not be required to furnish soap or towels.

(C) That the operator, lessee, superintendent or other person in charge of a mine may, in the discretion of such operator, lessee, superintendent or other person, provide suitable hangers, or baskets in lieu of lockers on which to place their clothing in wash houses, which hanger or basket shall be so arranged with pulley and chain as to permit the clothes to be elevated out of reach and securely fastened. Said hangers or baskets shall be so spaced that the distance between each shall not be less than three and one-half feet from center to center of said hanger or basket.

(D) The operator, lessee, superintendent or other person in charge of such mine or place as aforesaid, shall be required to furnish a shower bath for every fifteen men washing in said wash house. The floor space necessary for the men to dress shall not be less than ten square feet per man washing, or using the building.

(E) Ventilation of wash house shall be so provided as to permit the vapors and fumes thereof to readily escape. Such wash houses, when in use, shall be fumigated once each week, or oftener if necessary.

(F) If any person or persons shall neglect or fail to comply with the provisions of subsections A, B, C, D, and E of this section, or shall maliciously injure or destroy or cause to be injured or destroyed said building or room, or any part thereof, or any of its appliances or fittings used

for supplying light, heat, water or other equipment, or shall commit a nuisance in said building or room or leave discarded clothing or other rubbish in the building, or shall do any act tending to the injury or destruction thereof, he or they shall be guilty of a misdemeanor, and upon conviction shall be fined the sum not to exceed five hundred dollars ($500.00), to which may be added imprisonment in the county jail not to exceed sixty (60) days.

EMPLOYMENT OF MINORS AND FEMALES

SEC. 97. No male person under the age of eighteen years, or female of any age, shall be permitted to enter any mine in the State for the purpose of employment therein, and the parents or guardians of boys shall be required to furnish an affidavit as to the age of said boy or boys when there is any doubt in regard to their age, and in all cases of such boys applying for work, the operator of any mine shall see that the provisions of this section are not violated.

COMMISSIONER OF WEIGHTS AND MEASURES—SCALES

SEC. 98. It shall be the duty of the State commissioner of weights and measures, or his deputy, in addition to his other duties, to examine all scales used at any time for the purpose of weighing coal taken out of said mine. The scales shall be tested by sealed weights; and on inspection, if the scales are found incorrect, and after written notice by the State commissioner of weights and measures, or his deputy, it shall be unlawful for any operator to use or suffer the same to be used, until the scales are adjusted to weight correctly.

ROYALTY—COAL—LIENS

SEC. 99. (A) The miners and other persons employed and working in and about the mines, and others interested in the rental or royalty on the coal mined therein, shall have a lien on said mine and all machinery and fixtures connected therewith, and everything used in and about the mine for work and labor performed within two months, and for royalty on the coal mined for any length of time not exceeding two months; and such liens shall be paramount to, and have priority over all other liens, except the liens of the State taxes; and such liens shall have priority, as against each other, in the order in which they accrued, and for labor over that for royalty on coal.

(B) Any person to acquire such lien, shall file in the recorder's office of the county where the mine is situated, within sixty days from the time the payment became due, a notice of his intention to hold a lien upon such property for the amount of his claim, stating in such notice the amount of his claim, and the name of the coal workers, if known, or any other designation describing the location of said mine; and the recorder shall record the said notice, when presented, in a book used for recording mechanics' liens, for which the recorder shall receive a fee of twenty-five (25) cents.

(C) Suits brought to enforce any lien herein created, shall be brought within one year from the date of filing same, in the recorder's office; and all judgment rendered on the foreclosure of such liens shall include the amount of the claim found to be due with the interest on same from the time due and with a reasonable attorney's fee, the judgment to be collected without relief from valuation, appraisement or stay laws.

CHECKS FOR WAGES

SEC. 100. Whenever any merchant or dealer in goods or merchandise, or any other person, shall take from an employee or laborer for wages, who labors in or about any mine in this State, an assignment of such employees' wages, earned or unearned, due or to become due, or shall take from such employee or laborer any order on his employer for any such wages, and shall issue or give to any such employee or laborer, in consideration of, or in payment for any such assignment or transfer or order, any check, other than a check on a solvent bank, or any ticket, token or device payable or redeemable, or agreed to be payable or redeemable, in goods, wares, or merchandise or anything other than lawful money of the United States, such check, ticket, token or device shall at once become due and payable in lawful money of the United States, for and to the extent of the full amount of the wages assigned or relinquished for it, and the holder of such checks, ticket, token or device shall, after demand, have the right to collect the same, with reasonable attorney's fees, by suit in any court of competent jurisdiction.

CONSTRUCTION OF ACT

SEC. 101. This act shall not be construed as repealing or in any wise affecting the operation of the Indiana Workmen's Compensation Act applicable to the coal mines of the State of Indiana.

CONSTRUCTION OF SECTIONS

SEC. 102. If any section of this act or part thereof shall be declared invalid or unconstitutional, it shall not affect any other section of this act.

PENALTIES

SEC. 103. Any person who violates any of the provisions of the coal mining laws of the State of Indiana or who shall disobey any order given in pursuance of such laws shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars ($500.00) or by imprisonment of not more than six months, or both at the discretion of the court, except as otherwise provided.

APPROPRIATION OF FUNDS

SEC. 104. For the purpose of carrying out this act, the necessary money is to be appropriated by the biennial budget act.

ENFORCEMENT—PROSECUTING ATTORNEYS—DUTY

SEC. 105. It shall be the duty of the prosecuting attorneys of the several counties of this state to see that the foregoing sections of this act are strictly enforced.

REPEAL

SEC. 106. All laws and parts of laws in conflict herewith are hereby repealed.

EMERGENCY

SEC. 107.

Whereas an emergency exists for the immediate taking effect of this act, the same shall be in full force and effect from and after its passage and approval.